

a new article, to be known as Article 7047a, to provide for an occupation tax on the business or occupation of owning, operating, managing or controlling exchanges which furnish quotations on the stock market on certain commodities, or stocks and bonds; providing said act shall not apply to certain persons, firms, corporations or association of persons; and exempting those liable for such tax from the tax under Sections 8 and 12 of Article 7047, Revised Civil Statutes, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

SIXTEENTH DAY.

(Thursday, March 13, 1930.)

The House met at 2 o'clock p. m., pursuant to adjournment, and was called to order by Speaker Barron.

The roll was called, and developed the fact that there was not a quorum present.

Mr. Beck moved a call of the House for the purpose of securing a quorum, and the call was duly ordered.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Beck, the Sergeant-at-Arms was instructed to bring in all members within the city who are not ill.

The roll was again called, and the following members were present:

Mr. Speaker.	DeWolfe.
Acker.	Dunlap.
Ackerman.	Enderby.
Adkins.	Eickenroht.
Albritton.	Farrar.
Allred.	Finn.
Anderson.	Finlay.
Baker.	Forbes.
Barnett.	Fuchs.
Beck.	Gilbert.
Bond.	Giles.
Bounds.	Graves
Bradley.	of Williamson.
Brice.	Graves of Erath.
Carpenter.	Hardy.
Chastain.	Harding.
Coltrin.	Harman.
Conway.	Harper.
Cox of Lamar.	Harrison.
Cox of Limestone.	Heaton.
Davis.	Hines.

Hogg.	Patterson.
Holder.	Pavlica.
Hopkins.	Petsch.
Hornaday.	Pool.
Hubbard.	Pope of Jones.
Jenkins.	Pope of Nueces.
Johnson	Purl.
of Dallam.	Quinn.
Johnson	Ray.
of Dimmit.	Reader.
Johnson of Smith.	Renfro.
Jones.	Richardson.
Justiss.	Riley.
Kayton.	Rogers.
Keeton.	Sanders.
Keller.	Savage.
Kemble.	Shaver.
Kennedy.	Shelton.
Kincaid.	Sherrill.
King.	Simmons.
Kinnear.	Sinks.
Land.	Snelgrove.
Lee.	Speck.
Lemens.	Stephens.
Long of Houston.	Stevenson.
Long of Wichita.	Storey.
Loy.	Tarwater.
Magee.	Terrell.
Mankin.	Tillotson.
Marks.	Turner.
McCombs.	Van Zandt.
McDonald.	Waddell.
McGill.	Wallace.
Mehl.	Walters.
Metcalfe.	Warwick.
Minor.	Webb.
Moore.	West.
Morse.	Westbrook.
Mosely.	Wiggs.
Mullally.	Williams
Murphy.	of Sabine.
Negley.	Williams
Nicholson.	of Travis.
Olsen.	Woodruff.
Palmer.	Young.

• Absent.

Avis.	Mauritz.
Baldwin.	Maynard.
Bateman.	Montgomery.
Brooks.	O'Neill.
Duvall.	Prendergast.
Gates.	Rountree.
Martin.	

Absent—Excused.

Hefley.	Thompson.
Johnson of Scurry.	Veatch.
Kenyon.	Williams
McKean.	of Hardin.
Reid.	

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following member was granted leave of absence on account of important business:

Mr. Shelton for today, on motion of Mr. Fuchs.

Mr. Johnson of Scurry and Mr. Reid were granted leaves of absence for today on account of illness.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time and referred to the appropriate committees, as follows:

By Mr. Hubbard and Mr. Johnson of Dimmit:

H. B. No. 143, A bill to be entitled "An Act amending Chapter 47, Senate bill No. 36, Acts of the Second Called Session of the Forty-first Legislature, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Long of Houston and Mr. Turner:

H. B. No. 144, A bill to be entitled "An Act to amend Chapter 81, page 224, of the General and Special Laws of the First Called Session of the Fortieth Legislature, 1927, and declaring an emergency."

Referred to Committee on Penitentiaries.

By Mr. Long of Houston and Mr. Turner:

H. B. No. 145, A bill to be entitled "An Act to amend Article 7150, Revised Civil Statutes of Texas, 1925, providing for the exemption of certain property from taxation, by adding thereto another section, No. 3a, wherein it is provided that property heretofore or hereafter acquired by the State for prison farms or other prison purposes shall not be exempt from payment of its pro rata of any maintenance tax of a public school district, which said territory or property is a part; providing for the manner of assessing such taxes, how they shall be paid; and providing for the payment of such taxes where delinquent as well as to the future payment thereof."

Referred to Committee on Penitentiaries.

By Mr. Hubbard and Mr. Pool:

H. B. No. 146, A bill to be entitled "An Act to amend Section 1 of Chapter 10 of the Acts of the Third Called Ses-

sion of the Forty-first Legislature, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

(Mr. McGill in the chair.)

EXPRESSING APPRECIATION FOR SERVICES OF MILTON NOBLE.

Mr. Gates offered the following resolution:

Whereas, Milton Noble, for twenty-one years a faithful and efficient porter of the House, died on the evening of March 12, 1930; and

Whereas, Through the eighty years of his life he was a true and worthy representative of his race, serving his white friends with absolute fidelity and humility; therefore, be it

Resolved by the House of Representatives, That we express our appreciation of his services and our commendation of his character; be it further

Resolved, That a floral offering be sent to his funeral, to be paid for out of the contingent fund of the House.

Signed—Gates, Olsen, Turner, Barron, Holder, Keller.

The resolution was read second time, and was adopted.

BILL SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and its caption had been read, the following enrolled bill:

H. B. No. 38, "An Act to add to the Revised Civil Statutes of Texas for 1925 a new article, to be known as Article 7047a, to provide for an occupation tax on the business or occupation of owning, operating, managing or controlling exchanges which furnish quotations on the stock market on certain commodities, or stocks and bonds; providing said act shall not apply to certain persons, firms, corporations or associations of persons, and declaring an emergency."

PROVIDING FOR THE ISSUANCE OF COMMEMORATIVE STAMPS.

Mr. Anderson offered the following resolution:

H. C. R. No. 11, Providing for issuance of certain stamps.

Whereas, No other State of these United States can equal the glorious heritage of heroic deeds of our pioneer fathers in their struggle for independence; and

Whereas, The centennial of the Decla-

ration of Texas Independence will be in 1936; and

Whereas, The Postoffice Department of the United States has from time to time issued series of postage stamps commemorative of valorous deeds of American history; therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That the Postoffice Department of the United States, through the Postmaster General, be requested to issue a series of commemorative stamps, the first sale of which to be made on March 6, 1936, in San Antonio, Texas; the stamps to be of denominations of one cent, two cents, three cents, five cents and ten cents; the size of the stamps to be twice the size of the regular issue of United States postal stamps and in the following designs and subjects:

One-cent: Panel in center of stamp with scene depicting "Siege of Bexar," with date, December 5, 1836, with oval on each side of panel, which oval shall contain the likeness of Edward Burleson and the other oval containing the likeness of Benjamin Milam.

Two-cent: The same general design to be followed as the one-cent, with a scene depicting "The Fall of the Alamo," March 6, 1836, with a likeness of William Barrett Travis in one panel and James Bowie in the other.

Three-cent: Similar design, the center panel containing the likeness of Stephen F. Austin, with the inscription, "Father of Texas, 1793-1836," with the flag of the Republic of Texas in one oval and the flag of the United States in the other oval.

Five-cent: The center panel to depict the massacre at Goliad, March 27, 1836, with the likeness of James W. Fannin in one oval and William Ward in the other.

Ten-cent: Depicting the Battle of San Jacinto, April 21, 1836, with the likeness of Sam Houston in one oval and Thomas J. Rusk in the other oval; be it further

Resolved, That a copy of these resolutions be forwarded to the two United States Senators from Texas, with a request that they use their influence to secure the issuance of this set of commemorative stamps for Texas.

The resolution was read second time.

Mr. McCombs moved that the resolution be referred to the Committee on Federal Relations.

On motion of Mr. Anderson, the motion to refer was tabled.

Question then recurring on the resolution, it was adopted.

RELATIVE TO QUESTIONNAIRE FOR MEMBERS.

The Speaker laid before the House, for consideration at this time, point of order heretofore made by Mr. McCombs on the printing of the questionnaire as filled out by the members of the House in the House Journal.

The Speaker overruled the point of order.

SENATE BILL NO. 19 ON PASSAGE TO THIRD READING.

The House resumed consideration of pending business, same being Senate bill No. 19, relative to incorporating common school districts, on its passage to third reading, the bill having heretofore been read third time.

Mr. Kennedy offered the following amendment to the bill:

Amend Senate bill No. 19 by inserting between the words "voters" and "residing" the words "together with the trustees," and amend the caption accordingly.

The amendment was adopted.

Senate bill No. 19 was then passed to third reading.

SENATE BILL NO. 19 ON THIRD READING.

Mr. Young moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 19 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—92.

Mr. Speaker.	Forbes.
Acker.	Fuchs.
Ackerman.	Gilbert.
Adkins.	Graves
Allred.	of Williamson.
Baker.	Graves of Erath.
Bounds.	Harding.
Bradley.	Harman.
Brice.	Harper.
Carpenter.	Heaton.
Chastain.	Hines.
Coltrin.	Holder.
Conway.	Jenkins.
Cox of Lamar.	Johnson
Cox of Limestone.	of Dimmit.
DeWolfe.	Johnson of Smith.
Dunlap.	Jones.
Farrar.	Kayton.
Finn.	Keeton.
Finlay.	Keller.

Kennedy.	Reader.
Kincaid.	Renfro.
King.	Richardson.
Kinnear.	Riley.
Land.	Rogers.
Lee.	Sanders.
Lemens.	Savage.
Long of Houston.	Shaver.
Long of Wichita.	Sherrill.
Loy.	Simmons.
Magee.	Sinks.
Mankin.	Speck.
Marks.	Storey.
McDonald.	Tillotson.
McGill.	Turner.
Minor.	Van Zandt.
Moore.	Waddell.
Mosely.	Wallace.
Murphy.	Walters.
Negley.	Warwick.
Nicholson.	Webb.
Palmer.	Westbrook.
Pavlica.	Williams
Pool.	of Sabine.
Pope of Nueces.	Williams
Purl.	of Travis.
Quinn.	Woodruff.
Ray.	Young.

Nays—10.

Albritton.	Olsen.
Bond.	Snelgrove.
Eickenroht.	Terrell.
Hopkins.	West.
Justiss.	Wiggs.

Present—Not Voting.

Stephens.

Absent.

Anderson.	Kemble.
Avis.	Martin.
Baldwin.	Mauritz.
Barnett.	Maynard.
Bateman.	McCombs.
Beck.	Mehl.
Brooks.	Metcalfe.
Davis.	Montgomery.
Duvall.	Morse.
Enderby.	Mullally.
Gates.	O'Neill.
Giles.	Patterson.
Hardy.	Petsch.
Harrison.	Pope of Jones.
Hogg.	Prendergast.
Hornaday.	Rountree.
Hubbard.	Stevenson.
Johnson	Tarwater.
of Dallam.	

Absent—Excused.

Hefley.	Shelton.
Johnson of Scurry.	Thompson.
Kenyon.	Veatch.
McKean.	Williams
Reid.	of Hardin.

The Speaker then laid Senate bill No. 19 before the House on its third reading and final passage.

The bill was read third time.

Mr. Quinn offered the following amendment to the bill:

Amend Senate bill No. 19 by striking out the word "majority" wherever it appears in the bill and inserting in lieu thereof the words "three-fourths majority."

On motion of Mr. Young, the amendment was tabled.

(Mr. McGill in the chair.)

Senate bill No. 19 was then passed by the following vote:

Yeas—81.

Mr. Speaker.	Land.
Acker.	Lee.
Adkins.	Lemens.
Allred.	Long of Wichita.
Barnett.	Loy.
Bounds.	Marks.
Bradley.	McGill.
Carpenter.	Minor.
Chastain.	Moore.
Coltrin.	Morse.
Conway.	Murphy.
Cox of Lamar.	Negley.
Cox of Limestone.	Palmer.
Davis.	Pavlica.
DeWolfe.	Pool.
Dunlap.	Purl.
Finn.	Ray.
Forbes.	Reader.
Fuchs.	Richardson.
Graves	Riley.
of Williamson.	Sanders.
Graves of Erath.	Savage.
Hardy.	Shaver.
Harding.	Simmons.
Harman.	Sinks.
Harper.	Speck.
Heaton.	Storey.
Hines.	Tillotson.
Holder.	Turner.
Hubbard.	Van Zandt.
Johnson	Waddell.
of Dimmit.	Wallace.
Johnson of Smith.	Walters.
Jones.	Warwick.
Justiss.	Webb.
Kayton.	Westbrook.
Keeton.	Williams
Keller.	of Sabine.
Kemble.	Williams
Kennedy.	of Travis.
King.	Woodruff.
Kinnear.	Young.

Nays—18.

Albritton.	Brice.
Anderson.	Enderby.
Bond.	Eickenroht.

Finlay.
Jenkins.
Magee.
Mankin.
McDonald.
Olsen.

Quinn.
Rogers.
Snelgrove.
Terrell.
West.
Wiggs.

Present—Not Voting.

Baker.
Farrar.
Gilbert.

Kincaid.
Renfro.
Stephens.

Absent.

Ackerman.
Avis.
Baldwin.
Bateman.
Beck.
Brooks.
Duvall.
Gates.
Giles.
Harrison.
Hogg.
Hopkins.
Hornaday.
Johnson
of Dallam.
Long of Houston.
Martin.
Mauritz.

Maynard.
McCombs.
Mehl.
Metcalf.
Montgomery.
Mosely.
Mullally.
Nicholson.
O'Neill.
Patterson.
Petsch.
Pope of Jones.
Pope of Nueces.
Prendergast.
Rountree.
Sherrill.
Stevenson.
Tarwater.

Absent—Excused.

Hefley.
Johnson of Scurry.
Kenyon.
McKean.
Reid.

Shelton.
Thompson.
Veatch.
Williams
of Hardin.

SENATE BILL NO. 21 ON THIRD
READING.

The Speaker laid before the House, on its third reading and final passage, S. B. No. 21, A bill to be entitled "An Act to amend Article 5139 of Title 82 of the Revised Civil Statutes of Texas of 1925, relating to juvenile boards in certain counties and salaries of district and criminal district judges in such counties, and declaring an emergency."

The bill was read third time.

Mr. Kennedy raised the following point of order:

Mr. Speaker:

I make the point of order that Senate bill No. 21 is a local bill and cannot be considered by the House at this time for the reason that the Constitution, Article III, Section 57, says that:

"No local bill or special law shall be passed unless notice of the intention to apply therefor shall have been pub-

lished in the locality where the matter or thing to be affected may be situated."

Since the requirements of said section were not complied with, the bill cannot be taken up at this time.

The Speaker overruled the point of order.

Mr. Davis offered the following amendment to the bill:

Amend Senate bill No. 21 by striking out the enacting clause.

Mr. Kayton moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—58.

Adkins.
Allred.
Anderson.
Beck.
Bradley.
Chastain.
DeWolfe.
Dunlap.
Finn.
Forbes.
Fuchs.
Hardy.
Harding.
Harman.
Harrison.
Hines.
Hogg.
Hopkins.
Johnson
of Dimmit.
Johnson of Smith.
Kayton.
Keeton.
Keller.
Kemble.
Kinnear.
Long of Houston.
Long of Wichita.
Loy.
Magee.
McCombs.

Mehl.
Moore.
Morse.
Mullally.
Murphy.
Nicholson.
Palmer.
Patterson.
Pool.
Pope of Jones.
Pope of Nueces.
Reader.
Savage.
Shaver.
Sherrill.
Simmons.
Speck.
Storey.
Terrell.
Tillotson.
Turner.
Van Zandt.
Waddell.
Walters.
Warwick.
Westbrook.
Williams
of Travis.
Woodruff.
Young.

Nays—40.

Ackerman.
Albritton.
Baker.
Barnett.
Bond.
Brice.
Carpenter.
Coltrin.
Conway.
Davis.
Enderby.
Finlay.
Graves
of Williamson.

Graves of Erath.
Harper.
Heaton.
Jenkins.
Jones.
Justiss.
Kennedy.
Kincaid.
King.
Lemens.
Mankin.
Marks.
McDonald.
Mosely.

Pavlica.	Snelgrove.
Quinn.	Stephens.
Ray.	Stevenson.
Renfro.	Wallace.
Richardson.	West.
Riley.	Wiggs.
Rogers.	

Present—Not Voting.

Cox of Limestone.	Sinks.
Farrar.	Webb.
Gilbert.	Williams
Hubbard.	of Sabine.

Absent.

Mr. Speaker.	Lee.
Acker.	Martin.
Avia.	Mauritz.
Baldwin.	Maynard.
Bateman.	McGill.
Bounds.	Metcalf.
Brooks.	Minor.
Cox of Lamar.	Montgomery.
Duvall.	Negley.
Eickenroht.	Olsen.
Gates.	O'Neill.
Giles.	Petsch.
Holder.	Prendergast.
Hornaday.	Purl.
Johnson	Rountree.
of Dallam.	Sanders.
Land.	Tarwater.

Absent—Excused.

Hefley.	Shelton.
Johnson of Scurry.	Thompson.
Kenyon.	Veatch.
McKean.	Williams
Reid.	of Hardin.

Paired.

Mr. Hubbard (present), who would vote "nay," with Mrs. Negley (absent), who would vote "yea."

Mr. Anderson moved the previous question on the passage of the bill, and the motion was duly seconded.

Question recurring on the motion for the main question, it was lost.

Mr. Barnett raised a point of order on further consideration of the bill, on the ground that the bill is unconstitutional.

The Speaker overruled the point of order.

Mr. Quinn raised a point of order on further consideration of the bill, on the ground that the subject matter contained in the bill has not been submitted by the Governor.

The Speaker overruled the point of order.

Mr. Quinn moved that further con-

sideration of the bill be postponed indefinitely.

Mr. Keller moved to table the motion to postpone indefinitely.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—67.

Adkins.	McDonald.
Allred.	Mehl.
Anderson.	Moore.
Baker.	Morse.
Beck.	Mosely.
Bradley.	Mullally.
Chastain.	Murphy.
Cox of Lamar.	Palmer.
DeWolfe.	Patterson.
Finn.	Petsch.
Forbes.	Pool.
Fuchs.	Pope of Jones.
Giles.	Pope of Nueces.
Graves of Erath.	Purl.
Hardy.	Reader.
Harding.	Richardson.
Harman.	Riley.
Harrison.	Savage.
Hines.	Shaver.
Hogg.	Sherrill.
Hopkins.	Simmons.
Johnson	Speck.
of Dallam.	Storey.
Johnson	Tarwater.
of Dimmit.	Terrell.
Johnson of Smith.	Tillotson.
Kayton.	Van Zandt.
Keeton.	Walters.
Keller.	Warwick.
Kemble.	Westbrook.
Kinnear.	Williams
Lemens.	of Sabine.
Long of Houston.	Williams
Long of Wichita.	of Travis.
Loy.	Woodruff.
McCombs.	Young.

Nays—37.

Acker.	Kennedy.
Ackerman.	Kincaid.
Albritton.	King.
Barnett.	Magee.
Bond.	Mankin.
Brice.	Marks.
Carpenter.	McGill.
Coltrin.	Pavlica.
Conway.	Quinn.
Davis.	Ray.
Enderby.	Renfro.
Finlay.	Rogers.
Graves	Snelgrove.
of Williamson.	Stephens.
Harper.	Stevenson.
Heaton.	Turner.
Jenkins.	Wallace.
Jones.	West.
Justiss.	Wiggs.

Present—Not Voting.

Cox of Limestone. Webb.
Hubbard.

Absent.

Mr. Speaker.	Martin.
Avis.	Mauritz.
Baldwin.	Maynard.
Bateman.	Metcalfe.
Bounds.	Minor.
Brooks.	Montgomery.
Dunlap.	Negley.
Duvall.	Nicholson.
Eickenroht.	Olsen.
Farrar.	O'Neill.
Gates.	Prendergast.
Gilbert.	Rountree.
Holder.	Sanders.
Hornaday.	Sinks.
Land.	Thompson.
Lee.	Waddell.

Absent—Excused.

Hefley.	Shelton.
Johnson of Scurry.	Veatch.
Kenyon.	Williams
McKean.	of Hardin.
Reid.	

Paired.

Mr. Hubbard (present), who would vote "nay," with Mrs. Negley (absent), who would vote "yea."

Mr. Johnson of Dimmit moved the previous question on the passage of the bill, and the motion was duly seconded.

Question recurring on the motion for the main question, yeas and nays were demanded.

The main question was ordered by the following vote:

Yeas—72.

Acker.	Harrison.
Adkins.	Hines.
Allred.	Hopkins.
Anderson.	Johnson
Baker.	of Dimmit.
Beck.	Johnson of Smith.
Bounds.	Kayton.
Bradley.	Keeton.
Carpenter.	Kemble.
Conway.	Kinnear.
Cox of Limestone.	Long of Houston.
DeWolfe.	Long of Wichita.
Dunlap.	Marks.
Farrar.	McCombs.
Finn.	McDonald.
Forbes.	McGill.
Giles.	Mehl.
Hardy.	Moore.
Harding.	Morse.
Harman.	Mullally.
Harper.	Murphy.

Negley.	Terrell.
Palmer.	Tillotson.
Petsch.	Turner.
Pope of Nueces.	Van Zandt.
Purl.	Waddell.
Reader.	Walters.
Richardson.	Warwick.
Riley.	Webb.
Shaver.	Westbrook.
Shelton.	Williams
Simmons.	of Sabine.
Sinks.	Williams
Speck.	of Travis.
Storey.	Woodruff.
Tarwater.	Young.

Nays—31.

Ackerman.	Kennedy.
Albritton.	Kincaid.
Barnett.	Loy.
Bond.	Magee.
Brice.	Mankin.
Coltrin.	Pool.
Davis.	Quinn.
Enderby.	Ray.
Finlay.	Renfro.
Graves	Rogers.
of Williamson.	Snelgrove.
Graves of Erath.	Stephens.
Heaton.	Stevenson.
Jenkins.	Wallace.
Jones.	West.
Justiss.	Wiggs.

Absent.

Mr. Speaker.	Lee.
Avis.	Lemens.
Baldwin.	Martin.
Bateman.	Mauritz.
Brooks.	Maynard.
Chastain.	Metcalfe.
Cox of Lamar.	Minor.
Duvall.	Montgomery.
Eickenroht.	Mosely.
Fuchs.	Nicholson.
Gates.	Olsen.
Gilbert.	O'Neill.
Hogg.	Patterson.
Holder.	Pavlica.
Hornaday.	Pope of Jones.
Hubbard.	Prendergast.
Johnson	Rountree.
of Dallam.	Sanders.
Keller.	Savage.
King.	Sherrill.
Land.	

Absent—Excused.

Hefley.	Thompson.
Johnson of Scurry.	Veatch.
Kenyon.	Williams
McKean.	of Hardin.
Reid.	

Mr. Bond raised a point of order on further consideration of the bill, on the

ground that it provides for two offices of emolument, which is unconstitutional.

The Speaker declined to rule on the point of order, stating that he would submit the matter to the House for its decision.

Mr. Morse moved the previous question on the point of order, and the main question was ordered.

Question—Shall the House sustain the point of order?

The House overruled the point of order by the following vote:

Yeas—53.

Acker.	Kennedy.
Ackerman.	Kincaid.
Albritton.	King.
Baker.	Loy.
Barnett.	Magee.
Bond.	Mankin.
Bounds.	McDonald.
Brice.	Minor.
Coltrin.	Olsen.
Conway.	Quinn.
Cox of Lamar.	Ray.
Cox of Limestone.	Renfro.
Davis.	Richardson.
Enderby.	Rogers.
Eickenroht.	Sanders.
Finlay.	Simmons.
Graves	Snelgrove.
of Williamson.	Speck.
Graves of Erath.	Stephens.
Harper.	Stevenson.
Heaton.	Turner.
Hines.	Wallace.
Holder.	Webb.
Hubbard.	West.
Jenkins.	Wiggs.
Jones.	Williams
Justiss.	of Sabine.
Keeton.	

Nays—56.

Adkins.	Keller.
Allred.	Kemble.
Anderson.	Kinnear.
Beck.	Long of Houston.
Bradley.	Long of Wichita.
Carpenter.	Marks.
Chastain.	McCombs.
DeWolfe.	McGill.
Dunlap.	Mehl.
Finn.	Moore.
Forbes.	Morse.
Hardy.	Mosely.
Harding.	Mullally.
Harman.	Murphy.
Harrison.	Negley.
Hogg.	Palmer.
Hopkins.	Patterson.
Johnson	Petsch.
of Dimmit.	Pope of Nueces.
Johnson of Smith.	Reader.
Kayton.	Riley.

Shaver.	Van Zandt.
Shelton.	Walters.
Sherrill.	Warwick.
Sinks.	Westbrook.
Storey.	Williams
Tarwater.	of Travis.
Terrell.	Woodruff.
Tillotson.	Young.

Present—Not Voting.

Farrar.	Lemens.
Giles.	Purl.

Absent.

Avis.	Mauritz.
Baldwin.	Maynard.
Bateman.	Metcalfe.
Brooks.	Montgomery.
Duvall.	Nicholson.
Fuchs.	O'Neill.
Gates.	Pavlica.
Gilbert.	Pool.
Hornaday.	Pope of Jones.
Johnson	Prendergast.
of Dallam.	Rountree.
Land.	Savage.
Lee.	Waddell.
Martin.	

Absent—Excused.

Hefley.	Thompson.
Johnson of Scurry.	Veatch.
Kenyon.	Williams
McKean.	of Hardin.
Reid.	

Senate bill No. 21 was then passed by the following vote:

Yeas—64.

Adkins.	Justiss.
Albritton.	Kayton.
Allred.	Keeton.
Anderson.	Keller.
Beck.	Kemble.
Bounds.	Kinnear.
Bradley.	Lemens.
Chastain.	Long of Houston.
Coltrin.	Long of Wichita.
Cox of Lamar.	McCombs.
DeWolfe.	Mehl.
Enderby.	Minor.
Finn.	Moore.
Forbes.	Morse.
Giles.	Mullally.
Hardy.	Murphy.
Harding.	Olsen.
Harman.	Palmer.
Harrison.	Patterson.
Hines.	Petsch.
Hogg.	Pool.
Hopkins.	Pope of Jones.
Johnson	Pope of Nueces.
of Dimmit.	Purl.
Johnson of Smith.	Reader.

Richardson.
Riley.
Savage.
Shaver.
Shelton.
Sherrill.
Terrell.
Tillotson.

Van Zandt.
Walters.
Warwick.
Westbrook.
Williams
of Travis.
Woodruff.
Young.

Nays—45.

Ackerman.
Baker.
Barnett.
Bond.
Brice.
Carpenter.
Conway.
Davis.
Finlay.
Graves
of Williamson.
Graves of Erath.
Harper.
Heaton.
Holder.
Jenkins.
Kennedy.
Kincaid.
King.
Loy.
Magee.
Mankin.
Marks.

McDonald.
McGill.
Mosely.
Pavlica.
Quinn.
Ray.
Renfro.
Rogers.
Sinks.
Snelgrove.
Speck.
Stephens.
Stevenson.
Storey.
Tarwater.
Turner.
Waddell.
Wallace.
Webb.
West.
Wiggs.
Williams
of Sabine.

Present—Not Voting.

Cox of Limestone. Hubbard.
Farrar. Jones.

Absent.

Acker. Land.
Avis. Lee.
Baldwin. Martin.
Bateman. Mauritz.
Brooks. Maynard.
Dunlap. Metcalfe.
Duvall. Montgomery.
Eickenroht. Negley.
Fuchs. Nicholson.
Gates. O'Neill.
Gilbert. Prendergast.
Hornaday. Rountree.
Johnson. Sanders.
of Dallam. Simmons.

Absent—Excused.

Hefley. Thompson.
Johnson of Scurry. Veatch.
Kenyon. Williams
McKean. of Hardin.
Reid.

Paired.

Mr. Hubbard (present), who would vote "nay," with Mrs. Negley (absent), who would vote "yea."

Mr. Kemble moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.
The motion to table prevailed.

BILL SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and its caption had been read, the following enrolled bill:

S. B. No. 68, "An Act validating and legalizing the authorization of bonds issued by or on behalf of any county, city, district or political subdivision of this State for the construction of sea-walls; validating the levy and assessment of ad valorem taxes in payment thereof; validating the manner of holding the election, canvassing the returns and declaring the result of such election, and declaring an emergency."

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, March 13, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has granted the request of the House for the appointment of a free conference committee to adjust the differences on House bill No. 6. The following are appointed as conferees on the part of the Senate:

Senators Woodward, DeBerry, Cunningham, Holbrook and Witt.

The Senate has concurred in House amendments to Senate bill No. 15 by a viva voce vote.

The Senate has concurred in House amendments to Senate bill No. 56 by a viva voce vote.

Has passed:

H. C. R. No. 11, Requesting the United States Postoffice Department to issue commemorative postage stamps in honor of the Texas Centennial.

H. C. R. No. 10, Expressing thanks to legislative song committee.

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

(Speaker in the chair.)

PROVIDING FOR THE INVESTIGATION OF CERTAIN OIL AND GAS LEASES.

Mr. Long of Wichita offered the following resolution:

Providing for the investigation of the

validity of certain oil and gas leases, the Board of Regents of the University of Texas, and the administration thereof, by the State Auditor, and to be assisted, if necessary, by a committee of the House of Representatives of the State of Texas, appointed therefor, and defining the powers of said committee, and making appropriation out of per diem and contingent fund for the payment of the expenses of the said committee.

Whereas, It is the duty and interest of the House of Representatives that the University secure all payments of royalty due the University; and

Whereas, It is the duty and interest of the House of Representatives that all leases granted on University land are complied with according to law; and

Whereas, It is the duty and interest of the House of Representatives that the Board of Regents of the University of Texas use and appropriate the available building fund as is provided for by law; and

Whereas, The Commissioner of the General Land Office did, in 1924, issue leases on land located in Reagan county, Texas, to the Texon Oil and Land Company of Delaware, Texon Oil and Land Company of Texas, Group No. 1 Oil Corporation, Group No. 2 Oil Corporation, and the Big Lake Oil Company, which leases are invalid for the following reasons:

(1) That the applications for the transfer of interest in said applications, permits and leases were not filed in the General Land Office within the time provided by law.

(2) That no well or wells was begun or commenced or any development for oil, gas or minerals initiated on any of said land by said parties named above or by anyone in their behalf within the time required by law.

(3) That the development or drilling operations were not completed and oil and gas discovered and produced in paying quantities within the time required by law.

(4) That permits were not grouped in the manner provided by law.

(5) That said companies have been, and are now, conducting their operations in such manner as to evidence an intention to defraud the University of royalties due the University permanent fund; and

Whereas, That on the 22nd day of October, 1924, the Big Lake Oil Company, the Texon Oil and Land Company of Delaware, the Texon Oil and Land Company of Texas, Group No. 1 Oil Corporation, Group No. 2 Oil Corporation

and Big Lake Oil Company, entered into a contract with the Marland Oil Company with the apparent purpose and intention of depriving the University of royalty payments from the production of said land located in Reagan county, Texas, by forming the Reagan County Purchasing Company, which purchasing company was to purchase the oil produced by the producing companies in such a way as to defraud the University of its royalties; and

Whereas, The Board of Regents of the University of Texas have and now are expending the available University funds contrary to law by the following means:

(1) By paying for or contracting to pay out of the available building fund over eighty thousand dollars (\$80,000) for attorney fees.

(2) By paying for or contracting to pay out of the available building fund large sums of money for audits and salaries.

(3) By placing to the credit of the available building fund the income derived from the University's share of the Reagan County Purchasing Company; and

Whereas, The aforesaid allegations and acts are of such supreme importance to the people of Texas that the true facts should be known; therefore, be it

Resolved by the House of Representatives:

(1) That investigation be ordered, the subject of which shall be to establish the true facts concerning the aforesaid allegations and acts and to establish the following purposes:

(a) To determine whether the University of Texas has and is now receiving their share of royalty due from oil and gas leases.

(b) To determine the validity of all University leases.

(c) To determine whether the available fund is being expended in a lawful manner.

(d) To enable the Legislature to intelligently take such action that is deemed necessary and proper in the event any irregularities are found to exist in the payment of royalties, the validity of leases and the expenditure of the available building fund; and be it further

Resolved (1) That the State Auditor be authorized and empowered to make said investigation, and to investigate all matters, patents, leases, royalty payments, expenditure of the available building fund and all acts relating to the sales of University leases heretofore made or attempted to be made, and

to investigate each and every act of the Board of Regents of the University of Texas, and to investigate all matters pertaining to said Board as may, in the judgment of said State Auditor, be necessary and proper for the promotion of public welfare. The State Auditor shall make reports to the committee, during the progress of the investigation, as he deems necessary, and said reports shall be embodied in the committee's report to the Legislature.

(2) That a committee of five members of the House be appointed by the Speaker of the House to assist the State Auditor in making said investigation, for in the event the State Auditor should be unable to secure the necessary information the State Auditor shall request the committee to meet and assist in the investigation. Provided, however, the committee may meet on its own initiative at any time.

(3) That said committee shall have the power to formulate its own rules of procedure and evidence, and to provide for its own hours for meeting and adjourning; and sessions of said committee shall be open to the public, except at such times as the committee, by a majority vote, may determine to hold an executive session. The chairman of said committee shall be elected by a majority vote of the members of said committee, and the committee shall appoint its own secretary and employes, and its sergeant-at-arms.

(4) That the committee shall have the power to issue process for witnesses to any place in this State and to compel their attendance and to produce all books and records and upon disobedience of any subpoena the said committee shall have the power to issue attachments, which may be addressed to and served by either the sergeant-at-arms appointed by said committee or any sheriff or any constable of this State; said committee shall have power to inspect and make copy of any books, records, or files of any department, commission or board of this State, or any employe or appointee by said committee and of any county or political subdivision of this State, and shall have power to examine and audit the books of any person, firm or corporation having dealings with said departments, commissions or boards under investigation or any employe or appointee of said offices. The committee shall have the power to administer oaths and affirmations and fix the bonds of attached witnesses, and the committee shall further have all powers necessary

in order to accomplish the purposes for which it is appointed.

(5) The witnesses attending said committee under process shall be allowed the same mileage and per diem as is allowed witnesses in the trial of criminal cases in the district court.

(6) Said committee shall have the power and authority to employ and compensate all necessary experts, investigators, stenographers, clerks, auditors and all other necessary employes, and it shall be the duty of said committee to make and keep a record of its investigations.

(7) That said committee may call upon the Attorney General's Department for assistance and advice, and it shall be the duty of the Attorney General's Department to render opinions, give counsel and assistance to said committee upon the request of the chairman or members of said committee.

(8) That said committee shall begin and complete its investigation at the earliest practicable moment, and shall submit a report in writing to any subsequent Special Session of the Forty-first Legislature, or if there be no subsequent Special Session, the committee shall submit its report to the Forty-second Legislature. The compensation and expenses herein provided for incident to such investigation shall be paid out of the appropriation for mileage and per diem and contingent expenses of the Fifth Called Session of the Forty-first Legislature upon sworn account of the persons entitled to such pay when approved by chairman of said committee, and sufficient money is hereby appropriated out of the mileage and per diem and contingent fund of said Fifth Special Session of the Forty-first Legislature to meet the payment of such per diem and expenses of the members of said committee witnesses, fees and other expenses incident to said investigation.

LONG of Wichita,
STEVENSON,
WOODRUFF,
GRAVES of Williamson.

The resolution was read second time.

(Pending consideration of the resolution, Mr. McCombs occupied the chair temporarily.)

Mr. Pool moved that further consideration of the resolution be postponed until 2 o'clock p. m. tomorrow.

Mr. Chastain moved that the resolution be referred to the Committee on Public Lands and Buildings.

Question first recurring on the mo-

tion to postpone the resolution, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—35.

Allred.	Moore.
Carpenter.	Mullally.
Cox of Lamar.	Murphy.
Cox of Limestone.	Negley.
Davis.	Olsen.
Finn.	Petsch.
Forbes.	Pool.
Fuchs.	Richardson.
Harrison.	Riley.
Hines.	Simmons.
Holder.	Speck.
Hopkins.	Storey.
Hubbard.	Turner.
Johnson	Van Zandt.
of Dimmit.	Warwick.
Kemble.	West.
Land.	Williams
McGill.	of Sabine.
Minor.	

Nays—65.

Mr. Speaker.	Loy.
Adkins.	Magee.
Albritton.	Mankin.
Baker.	Marks.
Barnett.	Mehl.
Bond.	Mosely.
Bounds.	Palmer.
Brice.	Patterson.
Chastain.	Pavlica.
Coltrin.	Pope of Jones.
Eickenroht.	Pope of Nueces.
Farrar.	Purl.
Finlay.	Quinn.
Giles.	Ray.
Graves	Reader.
of Williamson.	Rogers.
Graves of Erath.	Sanders.
Harding.	Savage.
Harman.	Shelton.
Heaton.	Sherrill.
Jenkins.	Sinks.
Johnson	Snelgrove.
of Dallam.	Stephens.
Johnson of Smith.	Stevenson.
Jones.	Tarwater.
Justiss.	Terrell.
Keeton.	Tillotson.
Kennedy.	Waddell.
Kincaid.	Wallace.
King.	Webb.
Kinnear.	Williams
Lemens.	of Travis.
Long of Houston.	Woodruff.
Long of Wichita.	Young.

Present—Not Voting.

Enderby.	Keller.
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Absent.

Acker.	Kayton.
Ackerman.	Lee.
Anderson.	Martin.
Avis.	Mauritz.
Baldwin.	Maynard.
Bateman.	McCombs.
Beck.	McDonald.
Bradley.	Metcalfe.
Brooks.	Montgomery.
Conway.	Morse.
DeWolfe.	Nicholson.
Dunlap.	O'Neill.
Duvall.	Prendergast.
Gates.	Renfro.
Gilbert.	Rountree.
Hardy.	Shaver.
Harper.	Walters.
Hogg.	Westbrook.
Hornaday.	Wiggs.

Absent—Excused.

Hefley.	Thompson.
Johnson of Scurry.	Veatch.
Kenyon.	Williams
McKean.	of Hardin.
Reid.	

Question then recurring on the motion by Mr. Chastain, it prevailed by the following vote:

Yeas—93.

Mr. Speaker.	Jenkins.
Adkins.	Johnson
Albritton.	of Dallam.
Allred.	Johnson
Baker.	of Dimmit.
Barnett.	Johnson of Smith.
Bond.	Jones.
Bounds.	Justiss.
Brice.	Keeton.
Carpenter.	Keller.
Chastain.	Kennedy.
Coltrin.	Kincaid.
Cox of Lamar.	King.
Cox of Limestone.	Kinnear.
Davis.	Land.
Farrar.	Lemens.
Finn.	Long of Houston.
Finlay.	Long of Wichita.
Forbes.	Loy.
Fuchs.	Magee.
Gates.	Mankin.
Giles.	Marks.
Graves	Mehl.
of Williamson.	Minor.
Graves of Erath.	Moore.
Harding.	Mosely.
Harman.	Mullally.
Harrison.	Murphy.
Heaton.	Olsen.
Hines.	Palmer.
Holder.	Patterson.

Pavlica.	Snelgrove.
Petsch.	Speck.
Pope of Jones.	Stephens.
Pope of Nueces.	Stevenson.
Purl.	Storey.
Quinn.	Tarwater.
Ray.	Terrell.
Reader.	Tillotson.
Richardson.	Turner.
Riley.	Wallace.
Rogers.	Warwick.
Sanders.	Webb.
Savage.	West.
Shelton.	Williams
Sherrill.	of Travis.
Sinks.	Woodruff.

Nays—9.

Eickenroht.	Negley.
Hubbard.	Pool.
Kemble.	Simmons.
McCombs.	Van Zandt.
McGill.	

Present—Not Voting.

Enderby.

Absent.

Acker.	Martin.
Ackerman.	Mauritz.
Anderson.	Maynard.
Avis.	McDonald.
Baldwin.	Metcalfe.
Bateman.	Montgomery.
Beck.	Morse.
Bradley.	Nicholson.
Brooks.	O'Neill.
Conway.	Prendergast.
DeWolfe.	Renfro.
Dunlap.	Rountree.
Duvall.	Shaver.
Gilbert.	Waddell.
Hardy.	Walters.
Harper.	Westbrook.
Hogg.	Wiggs.
Hopkins.	Williams
Hornaday.	of Sabine.
Kayton.	Young.
Lee.	

Absent—Excused.

Hefley.	Thompson.
Johnson of Scurry.	Veatch.
Kenyon.	Williams
McKean.	of Hardin.
Reid.	

BILLS AND RESOLUTION SIGNED
BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills and resolution:

S. B. No. 10, "An Act to amend Chapter 81 of the General Laws of the

State of Texas, passed by the Fourth Called Session of the Thirty-fifth Legislature, approved April 3, 1918, creating the Commission of Appeals of the State of Texas, as amended by Chapter 34 of the General Laws of the State of Texas, passed by the Second Called Session of the Thirty-sixth Legislature, approved July 25, 1919, as amended by Chapter 119 of the General Laws of the State of Texas, passed by the Regular Session of the Thirty-seventh Legislature, approved March 31, 1921, as amended by Chapter 154 of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-eighth Legislature, approved March 30, 1923, as amended by Chapter 53 of the General Laws of the State of Texas, passed by the Regular Session of the Thirty-ninth Legislature, approved March 9, 1925, providing for the creation of a commission to aid the Supreme Court of Texas; regulating their powers and duties; prescribing their qualifications, appointment, duration of service; providing for stenographers, clerical help, and porter and fixing their compensation; fixing the salaries of the Commissioners, the manner of payment thereof, and declaring an emergency."

S. B. No. 56, "An Act to prohibit the hunting, trapping, ensnaring or killing of any wild buck deer, wild doe deer or wild fawn deer within the limits of the county of Live Oak, State of Texas, for a period of five years from and after the passage of this act, providing a penalty, and declaring an emergency."

S. B. No. 19, "An Act to authorize the county board of trustees of any county in this State to incorporate a common school district into an independent school district for school purposes only upon petition of a majority of the legally qualified property tax-paying voters residing in the territory affected; providing for the appointment and election of trustees for such incorporated districts; validating all school districts, including independent school districts heretofore incorporated under the provisions of Section 5, Chapter 84, General Laws, First Called Session, Fortieth Legislature, 1927, and all other school districts; also the acts of the county boards of trustees and the acts of the boards of trustees in such school districts, and all bonds issued by such districts, and declaring an emergency."

S. B. No. 65, "An Act to amend Sections 2a and 2b of Chapter 28 of the Local and Special Laws enacted by the Thirty-third Legislature at its Regular Session in 1913, same being Special Road Law for Childress county,

which Sections 2a and 2b were added by Chapter 279 of the General and Special Laws of the Forty-first Legislature at its Regular Session in 1929; authorizing the commissioners court of Childress county to issue bonds of said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes and to levy a tax in payment therefor; providing limitations upon the issuance of warrants for road and bridge purposes and exceptions therefrom; repealing House bill No. 68, passed at the Fourth Called Session of the Forty-first Legislature, and declaring an emergency."

S. B. No. 15, "An Act amending Chapter 12 of the Acts of the First Called Session of the Fortieth Legislature of 1927 relating to the organization of the Fifty-first Judicial District of the State of Texas; reorganizing the same, naming the counties constituting the same and fixing the terms of court to be held in the several counties therein; amending Chapter 36 of the Acts of the Regular Session of the Thirty-ninth Legislature of the State of Texas, relating to the organization of the Thirty-fifth Judicial District of the State of Texas," etc.

S. B. No. 64, "An Act to validate the grant of land made by the Crown of Spain to Jose Clemente Gutierrez, his heirs and assigns, of Porcion 14, lying and being situated in Zapata county, Texas, and to authorize the Commissioner of the General Land Office to issue patent to Jose Clemente Gutierrez, his heirs and assigns, to said Porcion, and declaring an emergency."

H. C. R. No. 10, Expressing thanks for work of the committee on the adoption of a State song.

MESSAGE FROM THE SENATE.

Senate Chamber.

Austin, Texas, March 13, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has concurred in House amendments to Senate bills Nos. 11 and 19 by a two-thirds vote of 30 yeas and 0 nays.

Has passed:

H. B. No. 66, A bill to be entitled "An Act to provide for the sale by the State to H. L. McKee, his heirs and assigns, a certain tract or area of land situated in Jefferson county, Texas,

same being submerged lands, constituting a part of the bed of Sabine Lake, retaining to the State all minerals therein, and declaring an emergency."

H. B. No. 104, A bill to be entitled "An Act to amend Article 1747 of the Revised Civil Statutes of Texas, 1925, so as to permit persons unable to pay costs, or give security therefor, to be entitled to prosecute their appeal in the appellate courts without requiring any bond, and declaring an emergency."

H. B. No. 125, A bill to be entitled "An Act validating all elections, election orders, election proceedings and city ordinances annexing adjacent territory to or extending and prescribing the corporate limits of any home rule city that has adopted a charter under Article Eleven (11), Section Five (5), of the Constitution of Texas, and the provisions of Chapter 147, Acts of the Regular Session of the Thirty-third Legislature of the State of Texas, 1913, but which city did not in fact have a population of 5,000 according to the 1920 Federal census, and declaring an emergency."

H. B. No. 75, A bill to be entitled "An Act to amend Chapter 5, Title 115, of the Revised Statutes of 1925, by adding thereto Article 6662, providing that all ordinances of cities, towns or villages levying assessments against property for the paving, straightening, widening, opening, extending, grading, raising, lowering or improving streets, or levying assessments for public improvements of any kind or character, be filed for record in the office of the county clerk of the county in which any such city, town or village is located before constituting liens against any such real property as against purchasers or mortgagees for valuable considerations, and declaring an emergency," with amendments.

H. B. No. 83, A bill to be entitled "An Act providing for the temporary registration or visiting privileges in this State of vehicles owned by citizens of another State or country and duly registered under the laws of said State or country for the current year; prescribing restrictions under which such vehicles may be operated; prescribing penalties for any violations hereof; repealing all laws and parts of laws in conflict herewith, and declaring an emergency," with amendments.

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

HOUSE BILL NO. 73 ON SECOND
READING.

On motion of Mr. Purl (by unanimous consent), the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 73, A bill to be entitled "An Act creating additional and adequate courts for Dallas county; defining their jurisdiction, adjusting the business of the existing district courts to the business thereof; prescribing the duties of the district clerk with respect thereto; repealing all laws in conflict therewith, and declaring an emergency."

The bill was read second time.

Mr. Purl offered the following amendment to the bill:

Amend House bill No. 73, Section 5, line 8, by inserting a comma (",") after "Ninety-fifth" and striking out "and," and by inserting at the end of line 8 in said Section 5 the following: ", and One Hundred and Fifteenth District," and amending the caption accordingly.

The amendment was adopted.

Mr. McCombs offered the following amendment to the bill:

Change the words "115" to "116" wherever they appear in the bill.

The amendment was adopted.

Question recurring on the engrossment of the bill, yeas and nays were demanded.

The roll of the House was called, and the vote announced as follows:

Yeas—44.

Mr. Speaker.	Minor.
Adkins.	Moore.
Allred.	Palmer.
Bond.	Petsch.
Bounds.	Pool.
Chastain.	Pope of Jones.
Dunlap.	Pope of Nueces.
Forbes.	Purl.
Harman.	Reader.
Harrison.	Richardson.
Hines.	Riley.
Holder.	Savage.
Hopkins.	Sherrill.
Johnson	Simmons.
of Dallam.	Storey.
Johnson	Terrell.
of Dimmit.	Tillotson.
Keller.	Van Zandt.
Kemble.	Walters.
Land.	Warwick.
Long of Houston.	Webb.
McCombs.	Williams
McGill.	of Travis.
Mehl.	Young.

Nays—42.

Albritton.	Lemens.
Baker.	Loy.
Barnett.	Magee.
Carpenter.	Mankin.
Coltrin.	Marks.
Cox of Lamar.	McDonald.
Cox of Limestone.	Mosely.
Davis.	Murphy.
Eickenroht.	Olsen.
Farrar.	Pavlica.
Finlay.	Ray.
Fuchs.	Rogers.
Giles.	Shelton.
Heaton.	Snelgrove.
Hubbard.	Stephens.
Jones.	Tarwater.
Justiss.	Turner.
Keeton.	Waddell.
Kennedy.	West.
Kincaid.	Williams
King.	of Sabine.
Kinnear.	

Present—Not Voting.

Enderby.

Absent.

Acker.	Kayton.
Ackerman.	Lee.
Anderson.	Long of Wichita.
Avis.	Martin.
Baldwin.	Mauritz.
Bateman.	Maynard.
Beck.	Metcalfe.
Bradley.	Montgomery.
Brice.	Morse.
Brooks.	Mullally.
Conway.	Negley.
DeWolfe.	Nicholson.
Duvall.	O'Neill.
Finn.	Patterson.
Gates.	Prendergast.
Gilbert.	Quinn.
Graves	Renfro.
of Williamson.	Rountree.
Graves of Erath.	Sanders.
Hardy.	Shaver.
Harding.	Sinks.
Harper.	Speck.
Hogg.	Stevenson.
Hornaday.	Westbrook.
Jenkins.	Wiggs.
Johnson of Smith.	Woodruff.

Absent—Excused.

Hefley.	Thompson.
Johnson of Scurry.	Veatch.
Kenyon.	Wallace.
McKean.	Williams
Reid.	of Hardin.

The Speaker announced that there was not a quorum present.

Mr. Pope of Jones moved a call of the

House for the purpose of securing a quorum, and the motion was lost.

ADJOURNMENT.

On motion of Mr. Holder, the House, at 6 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

APPENDIX.

REPLIES TO QUESTIONNAIRE.

The following questionnaire, as filled out by the members of the House, was ordered printed in the Journal:

We, your committee appointed under resolutions passed by the House on February 25 and February 26, beg leave to report as follows:

1. We have prepared the following questionnaire:

"Questionnaire

Authorized and Directed by Resolution Adopted by the House February 25, 1930.

- (1) Name
Postoffice
- (2) Trade, occupation or profession
- (3) Corporation or association, if any, from which you have accepted, directly or indirectly, any salary or retainer for your services on a monthly, yearly or contingent basis, any part of which has been received or accepted since you took the oath of office
- (4) Explanatory remarks, if any.....
.....
.....
Representative,District.

Sworn to and subscribed before me on this the day of February, 1930.

Note: Notary public available without cost in Chief Clerk's room.

The committee requests this to be returned within three days from February 26, 1930."

2. The following members have filed the following information, respectively:

- (1) Walter Acker, Sr., Houston, Texas.
(2) Lawyer.
(3) None whatever from any corporation or individual.
(4) None necessary.

(1) J. M. Ackerman, Navasota, Texas.

- (2) Retired.
(3) None.
(4) None.

(1) Thurman W. Adkins, La Fayette, Texas.

- (2) Lack three months of being a lawyer.
(3)
(4)

(1) J. C. Albritton, Yorktown, Texas.

- (2) Corporation agent for farmers of Yorktown.
(3) None.
(4)

(1) Sam Allred, Hillsboro, Texas.
(2) Attorney.

(3) Sworn in on January 20, 1930. Have received fees for service rendered from Bradstreet Co. Fees became due me, but not collected, from the Texas Novelty Advertising Company, Hillsboro, Texas.

- (4)

(1) P. L. Anderson, San Antonio, Texas.

- (2) Printer.
(3) None.
(4) None.

(1) Joe H. Baker, Quitman, Wood county, Texas.

- (2) Minister and farmer.
(3)
(4)

(1) S. E. Barnett, Greenville, Texas.
(2) Printer.

(3) E. L. Steck Co.
(4) My salary is contingent upon the amount of work I do. The more I work, the more salary I get.

(1) W. S. Barron, Bryan, Texas.

(2) Attorney; own half interest in Brazos County Abstract Company.

(3) I have represented several corporations, all of which are in Bryan, except the Sun Oil Company, who paid me \$100.00 retainer fee one time in prospective suit in Brazos county. I own one-half interest in an abstract plant that has made abstracts for practically all the major oil companies in Texas. Most of the corporations represented by me are in Bryan, and all that I can recall are as follows: Howell & Co., City National Bank, Brazos Motor Company, Allen Smith, Inc., Bryan Building and Loan Association, Brazos

National Farm Loan Association and Stepan Ice and Bottling Works. Service rendered is occasional and is mostly conveyancing in various forms. I have no retainer from any of the above organizations.

(4)

- (1) Sam E. Bateman, Celina, Texas.
- (2) Farmer.
- (3) None.
- (4)

(1) Thomas R. Bond, Terrell, Texas.
 (2) Lawyer and agriculturist.
 (3) Retained by the city of Terrell in effort to regulate public utility rates. Stockholder and director of Texas Inter-urban Railway.

(4)

(1) William Riley Bounds, Hubbard, Texas.
 (2) Retired.
 (3) January 8, 1929; namely, Hot Well Company, Hubbard, Texas, as manager.
 (4) No fee or money received from any source adverse to any legislative matter coming before the House of Representatives since I have been a member of the Forty-first Legislature.

(1) Roland Bradley, 2106 Esperson Building, Houston, Texas.
 (2) Attorney at law.
 (3) P. D. & C. Tools Co., Inc.; Ranger Oil Co., Inc.; Gaylor Oil Co., Inc.; Local 896, International Longshoremen's Association.
 (4) Though these corporations paid fees for securing charters and the local paid for professional services in securing a charter.

(1) Alex Brice, Sulphur Springs, Texas.
 (2) Retired farmer.
 (3) None
 (4)

I hereby assert to the House of Representatives of the State of Texas that I was elected to this body by the votes of twenty thousand of the people who have known me in my own county where I was born and have lived most of my lifetime. I represent no special interests, as every member of this House knows. I am under no obligation that could in any way affect or influence my vote upon any subject of legislation.

This statement is made upon my honor as a Representative, which I

deem to be as sacred as my oath of office. My high confidence in the House of Representatives causes me to resent the views of those whose minds harbor general and groundless suspicion as to the motives of the members of this body. It is my belief that the Texas House of Representatives deserves the confidence and esteem of the people of Texas, and that this body should create that confidence by asserting its own self-esteem to that degree which would utterly discountenance the kind of demagoguery that can only suspect or condemn.

This statement is filed with the inquisitorial committee in lieu of the formal questionnaire, because it more fully comports with my respect for the House of Representatives and with my respect for my constituents.

WALTER BECK,
 Tarrant county.

(1) W. C. Carpenter, Bay City, Texas.
 (2) Attorney at law.
 (3) None.
 (4) None.

(1) O. F. Chastain, Eastland, Texas.
 (2) Lawyer.
 (3) None.
 (4) None.

(1) Geo. W. Coltrin, Mathis, Texas.
 (2) Newspaper publisher, minister, apiarist, legislator.
 (3) None.
 (4)

(1) V. E. Conway, Commerce, Texas.
 (2) No occupation at present.
 (3) Annual salary from Commerce Chamber of Commerce until I resigned January 1, 1930.
 (4) Resigned as Secretary Chamber of Commerce of Commerce, Texas, January 1, 1930. Will engage in mercantile business about June 1, 1930.

(1) G. J. Cox, Paris, Texas.
 (2) Salesman.
 (3) None, only small salary received from Arthur Caddee Co., retail dry goods store, last fall.
 (4)

(1) J. T. Cox, Groesbeck, Texas.
 (2) Insurance.
 (3) None.
 (4)

(1) John E. Davis, Mesquite, Texas.
 (2) Editor Texas Mesquiter, Mes-

quite, Texas; operating printing shop in connection therewith.

(3) None whatever. I am not a lawyer and have not accepted any retaining fee for my services from any corporation, but my newspaper and printing business has and will accept orders for advertising and printing from any legitimate corporation.

(4) Nothing.

(1) E. D. Dunlap, Kingsville, Texas.

(2) Druggist.

(3) Central Power & Light Co.

(4) Having retired from the drug business, I have been employed by the above company to sell their 6 per cent preferred stock to the public.

Mr. J. C. Duvall submits the following in answer to his questionnaire:

March 5, 1930.

Mr. James W. Harper, House of Representatives, Austin, Texas.

Dear Sir: In response to your questionnaire, which was received yesterday, I am engaged in the practice of law in Fort Worth, Texas. I have in my employ another lawyer who transacts the business of my firm during my absence, and in addition to two clients, one of them a bus line and another an individual, who pay me a retainer fee monthly, I represent quite a number of Fort Worth people in their legal work.

The attached document will give you some idea of my clients, pending cases and my opinion of the legality of your resolution. If, in addition to the constitutional requirements and statutory requirements governing the qualifications of a member, the House can by a simple resolution prescribe further qualifications, and it is held that your resolution contains one of such additional requirements, then, of course, I shall be glad to open my business to your inspection.

However, my oath of office is as binding upon me as yours is upon you, and I feel that I am as capable of determining the course of my conduct as a member of this House as you and your committee. I have not in any manner ever violated my oath of office, and this attempt to present the conduct and private affairs of the membership of this House to a committee for their approval or disapproval is a reflection upon the membership of the House, a course unheard of in any other governmental body.

Respectfully,
(Signed) J. C. DUVALL.

The House has got an angel
To guard it every night;
He has to know who pays me,
So he can guide us right.

He asks a lot of questions
'Bout who we represent,
And if they live in houses
Or just a little tent.

I think he is a STATESMAN,
He knows just what is right;
He hops on corporations
An' says they are a fright!

They sometimes need a lawyer,
Or maybe just a clerk;
But they mustn't hire a member,
Shouts the angel with a jerk!

They ought to be run out—
It surely is a SHAME;
Any man who works for one
Gives our angel quite a pain!

But in answer to your questions
I'll tell you all I know;
Then I'll give up law forever
And go an' buy a hoe!

By buying books and reading
And helping folks in trouble,
I'm swayed by special interests—
It bends my conscience double!

So I'll use my hoe with vigor,
I'll raise some peas and beans;
I'll cuss the corporations
An' call 'em dirty fiends!

I'll take my oath of office
With my hoe beneath my arm;
An' then the Trusts and Magnates
Will quiver with alarm!

I'll vote to tax each person
Who owns a cow or pig;
I'll get the folks in business,
Be they little or GREAT BIG!

I'll sing praises to the angel
Before I go to bed;
Then I'll cuss the corporations
Each mornin' 'fore I'm fed!

So now I'll clear my conscience—
Oh, my, I feel so blue;
I have to tell the angel
What kind of gum I chew!

I represent a widow
Who pays me by the week;
I'm going to show my contract
An' let the angel peek!

I represent a school "marm"
 Who's suing of a man;
 My orders are to get his dough
 For my client, IF I CAN!

I represent a preacher man
 Who's going to the pen;
 He is a man of "color"—
 He stole a turkey hen!

I represent another guy
 On whose face you see a grin;
 He's now in Tarrant county's jail
 For sellin' rotten gin!

I represent a druggist—
 He owes me quite a BILL;
 He sold an ounce of poison
 For a harmless little pill!

I represent a bus line—
 It is a CORPORATION;
 I didn't know my angel thought
 It meant my RUINATION!

I represent a fisherman—
 I think he stole a boat;
 Now he's got no lawyer,
 'Cause he might sway my vote!

I represent a doctor;
 I represent a priest;
 I represent a brewer
 For using too much yeast!

I represent an artist;
 I represent a clown;
 I wish I had a thousand more
 Just like 'em in my TOWN!

There may be others, too,
 Who fill my clients' ranks;
 Some are charged with ARSON
 An' some with other pranks!

But I'll let 'em go to others
 Their causes to espouse;
 I cannot represent them—
 I'M A MEMBER OF THE HOUSE!

I did not swear to this because I feared
 The notary might have at some time
 taken
 An acknowledgment for a corpora-
 tion!

(1) Reno Eickenroht (G. O. P.),
 Seguin, Texas.
 (2) Newspaper and farmer (sub-
 merged in property).
 (3) None other than being financial-
 ly interested in the Co-operative Pub-
 lishing Company, Seguin, Texas, which
 issues two weekly papers.
 (4) Sent to the Legislature to repre-

sent the people as a whole; not to spon-
 sor any legislation framed by special
 and privileged interests.

(1) D. J. Enderby, Valley View,
 Texas.
 (2) Dirt farmer and stockman.
 (3) None.
 (4) None.

(1) Bowd Farrar, Waxahachie,
 Texas.
 (2) Lawyer.
 (3) None.

(4) I represent the Trinity Farm
 Construction Company and Citizens' Na-
 tional Bank; administrator Waxahachie
 and Republic Bank and Trust Company;
 administrator Waxahachie in certain
 cases, but not on monthly or yearly
 salary.

(1) James Finlay, Fife, McCulloch
 county, Texas.
 (2) Stock farming.
 (3) None.
 (4)

(1) Paul Finn, Sunset, Texas.
 (2) Druggist and banker.
 (3) Sunset State Bank, Sunset,
 Texas, as president and director; J. T.
 Finn & Son, retail drug store, as junior
 member of the firm.

(1) B. J. Forbes, Weatherford,
 Texas.
 (2) Farmer and minister.
 (3) As a minister I have received
 the freewill offering of my brethren,
 which amounts to about \$30.00 a month,
 and as farmer I have had a small in-
 come on my farm; \$300.00 in the clear
 or about that on a \$3,000.00 assess-
 ment.
 (4) Not counting labor, about 10
 per cent income on the assessment.

(1) R. A. Fuchs, Route 3, Brenham,
 Texas.
 (2) Stock farmer, active.
 (3) None whatsoever.
 (4)

(1) Victor B. Gilbert, Cisco, Texas.
 (2) Lawyer.
 (3) None.
 (4) I am secretary of a recently or-
 ganized oil corporation and was given a
 small stock for legal services in organ-
 izing and keeping the books for one
 year.

(1) Eugene V. Giles, Austin, Texas,
 R. F. D. No. 3.

- (2) Farmer, dairyman.
 (3) None.
 (4)
- (1) H. N. Graves, Georgetown, Texas.
 (2) Lawyer.
 (3) I am attorney for M.-K.-T. Railway Company and have been so for eighteen years at a yearly salary. I am attorney for five banks, a university, a building and loan association, a church and many others not now remembered, but have received no money as a salary nor gratuity except above yearly salary.
 (4)
- (1) W. T. Graves, Stephenville, Texas.
 (2) School teacher, real estate, loan and insurance agent.
 (3) I have received my legal rate, but I have not received a salary or retainer as set forth in Paragraph 3 of this questionnaire.
 (4)
- (1) A. E. Harding, Fort Worth, Texas.
 (2) Lawyer and newspaper publisher.
 (3) None.
 (4) None.
- (1) Bailey W. Hardy, Breckenridge, Texas.
 (2) Lawyer.
 (3) I represent various and sundry clients, but do not recall having obtained any fees for services performed for any corporation since I became a member.
 (4)
- (1) W. M. Harman, Waco, Texas.
 (2) Lawyer.
 (3) None.
 (4)
- (1) James W. Harper, Mount Pleasant, Texas.
 (2) Minister.
 (3) Talco Baptist Church, Monticello Baptist Church, and other churches.
 (4) I receive no salary while on attendance at Legislature.
- (1) Julian P. Harrison, El Paso, Texas.
 (2) Attorney at law.
 (3) I am a member of the firm of Harrison, Scott & Rasberry, First National Bank Building, El Paso, Texas, which firm represents a number of corporations. I receive a portion of the

profits of that firm. I am willing to give the committee a list of these corporations if the members desire same, but would not wish to publish the names in the press without the permission of the clients of my firm. I wish further to say that I have not, directly or indirectly, received employment from any corporation or association by reason of my official position. The corporations mentioned as being represented are not interested in any legislation at this time, and I have never received any communication from them relative to legislation. My firm has represented a majority of them for several years.

- (4)
- (1) James E. Heaton, Gary, Texas.
 (2) Public school teacher.
 (3) None.
 (4)
- (1) Charles C. Hines, Linden, Cass county, Texas.
 (2) Lawyer and truck farmer.
 (3) None.
 (4)
- (1) Mike Hogg, Houston, Texas.
 (2) Real estate and oil.
 (3) Hogg Brothers, a co-partnership doing real estate and oil business. My income is from the above.
 (4) We have several real estate corporations in Houston, none of which give me any salary or retainer.
- (1) Ray Holder, Lancaster, Dallas county, Texas.
 (2) Editor and publisher the Lancaster Herald, owned entirely by my own family.
 (3) The Lancaster Herald has for forty-three years accepted the usual advertising from those utilities which serve the Lancaster community. The Lancaster Herald operates a job plant and sells printing to some of these utilities on competitive bids, as well as private firms.
 (4) The Lancaster Herald has a list of nearly 3,000 customers in Dallas and Lancaster, among whom are those listed above.
- (1) W. K. Hopkins, Gonzales, Texas.
 (2) Lawyer; hold no degree, having obtained license by taking State Bar examination six years ago.
 (3) My firm, composed of myself and W. T. Miller of Gonzales, Texas, for many years prior to my election to the Legislature, and now represent the Southern Pacific Railroad Company in Gonzales county in the trial of its law-

suits on a small annual salary, paid monthly. We likewise represent on a nominal annual retainer the Central Power and Light Company. We also are employed by Gonzales State Bank and Trust Company, Gonzales Building and Loan Association and various other corporations operating in our territory. These fees and retainers are divided between myself and my partner on a basis of two-thirds to him and one-third to me.

(4) Like any other lawyer, such retainers and fees as are paid to my firm are for representation within the confines of Gonzales county. I represent no corporation, association, organization or individual in the Legislature. My only clients while in the Legislature are my people as a whole. In my judgment, no man could take the oath of office as a member of this body and represent anyone other than his people, and any vote cast by him on any measure is and should be only such vote as he believes the merits of the particular bill or measure justify.

(1) R. M. Hubbard, New Boston, Texas.

(2) Attorney at law.

(3) First National Bank of New Boston, Texas.

(4) Am a director and receive monthly director's fees. National laws and not State laws govern a National bank.

(1) C. H. Jenkins, Brownwood, Texas.

(2) Lawyer.

(3) None.

(4)

(1) A. C. Johnson, Dalhart, Texas.

(2) Life insurance agent.

(3) Absolutely none.

(4) I work for the Great Southern Life Insurance Company of Houston, Texas, under usual contract on commission basis.

(1) A. P. Johnson, Carrizo Springs, Texas.

(2) Lawyer.

(3) None.

(4) The law firm of which I am a member has since 1911 been local attorneys for the San Antonio, Uvalde and Gulf Railway (now part of the Missouri Pacific Lines) on an annual compensation of \$50.00 per year, payable semi-monthly, and transportation. Same law firm is retained by Mayhew Lumber Company a number of years on an an-

nual retainer of \$25.00 per year; same firm is retained by Central Power and Light Company number of years on retainers of \$25.00 or \$50.00 per year, I do not remember which. Am majority stockholder in Vandervoort Abstract Company.

(1) A. S. Johnson, Winona, Texas.

(2) Farmer and retired attorney.

(3) No salary received by me from any of the above named concerns since my election.

(4)

(1) W. R. Johnson, Snyder, Texas.

(2) Physician, general practice.

(3) As Representative, yes; Fuller Cotton Oil Company; paid by or as called as any individual.

(4) This employment is by visit only.

(1) Walter E. Jones, Jourdan, Texas.

(2) Attorney at law.

(3) None.

(4) I represent three banks in my county and transact their business, but am only paid for the work as it is done. I am retained, but not on any basis stated in questionnaire.

(1) A. N. Justiss, Corsicana, Texas.

(2) Life insurance agent.

(3) Commission from Aetna Life Insurance Company, \$1,200.00; rent on farm, \$400.00.

(4)

(1) Harold Kayton, San Antonio, Texas.

(2) Retired from business February 1, 1928.

(3) None.

(4) None.

(1) W. F. Keeton, Bonham, Texas.

(2) Farm loans, insurance, real estate and cotton buyer.

(3) None.

(4) I receive the regular commission on fire insurance written by the Niagara, St. Paul and North River Insurance Companies; also receive a commission on loans made to the Federal Land Bank and one-fourth of dividend declared by said bank on stock held by Bonham N. F. L. A.

(1) Jack Keller, 405 Mercantile Building, Dallas, Texas.

(2) Lawyer.

(3) Auburn Automobile Company, Foxy Frocks, Inc., Health Aid Laboratories, Wells Light and Power Company, Felt & Tarrant Manufacturing Company and other companies and individuals.

(4) I represent these and others on retainers, fees per case and have not received yearly or monthly fees or any fees for these or anybody else relative to any question which has been before this Legislature.

George C. Kemble returned the following:

State of Texas,
County of Travis.

Before me, the undersigned authority, on this day personally appeared George C. Kemble, known to me to be a creditable person and who, being by me first duly sworn, upon oath deposes and says that he is an honest member of the House of Representatives.

(Signed) GEORGE C. KEMBLE.

Witness my hand and seal of office at Austin, Travis county, Texas, this 27th day of February, A. D. 1930.

(Signed)

LOUISE SNOW PHINNEY,

(Seal) Notary Public in and for
Travis County Texas.

(1) J. C. Kennedy, Kosse, Texas.

(2) Farmer.

(3)

(4)

(1) L. M. Kenyon, Galveston, Texas.

(2) Lawyer.

(3) None.

(4)

(1) R. L. Kincaid, Crowell, Texas.

(2) Physician, farmer, and stock raiser.

(3) None.

(4)

(1) A. H. King, Throckmorton, Texas.

(2) Retired farmer and now representing the plain people in the Legislature.

(3) None.

(4)

(1) C. Land, Memphis, Texas.

(2) Lawyer.

(3) None.

(4)

(1) G. Y. Lee, Eden, Texas.

(2) Stock farming.

(3) Secretary-Treasurer of Eden National Farm Loan Association.

(4)

(1) Bob Long, 605 Burnett Street, Wichita Falls, Texas.

(2) Student.

(3) None.

(4)

(1) Jno. A. Long, Crockett.

(2) Teacher.

(3)

(4)

(1) Jacob Jackson Loy, Sherman, Texas.

(2) Owner of cafe and part owner Red River Valley Journal.

(3) None at all.

(4)

(1) J. S. Magee, Tyler.

(2) School teacher.

(3) None whatever.

(4)

(1) Luke Mankin, Georgetown, Texas.

(2) Attorney.

(3) None.

(4) None necessary.

(1) F. H. Marks, Perrin, Texas.

(2) Stock farm.

(3) None.

(4)

(1) Frank W. Martin, Goliad, Texas.

(2) Attorney.

(3) None.

(4) None.

(1) T. N. Mauritz, Ganado, Texas.

(2) Banker and other business enterprises.

(3) As president of Citizens State Bank, Ganado, Texas, have been paid my regular monthly salary.

(4)

(1) C. B. Maynard, Bastrop, Texas.

(2) Lawyer.

(3) None, that I know of—my law firm may have accepted a dozen retainers since I have been in Legislature.

(4)

(1) Chas. S. McCombs, Dallas, Texas.

(2) Lawyer.

(3) Dallas Joint Stock Land Bank; Farmer Fund of Texas; Dallas Mortgage Securities Company; Benning and Benning; Ethylene Sales Company; Textile Electric Sign Company; Tarrant County National Bank; Arkansas Democrat; Three Rivers Glass Company; Geo. M. Forman and Company; Myers, Noyes and Fount; Capitol Food Products Company; Mauritz Bros.; Continental Illinois Bank and Trust Company; Farmers National Bank; Standard Rice Com-

pany; Continental Assurance Company; First State Bank; Dallas Lumber Company.

(4) All of the fees paid by the foregoing were for legal services and none of them have ever attempted to influence me on legislative questions in any way and not a single vote of mine was ever influenced by any of my clients.

(1) J. E. McDonald, Waxahachie, Texas.

(2) Farmer-ginner and stockman.

(3) None.

(4) None.

(1) Joseph McGill, El Paso, Texas.

(2) Attorney at law.

(3) None.

(4)

(1) M. E. Mehl, San Antonio, Texas.

(2) Barber.

(3) Secretary Barbers Local No. 187 and Building Manager Labor Temple Building.

(4) Part of my salary has been paid me during the Legislature because of the fact that I have transacted the business of that office during the session.

(1) Penrose B. Metcalfe, San Angelo, Texas.

(2) Ranching.

(3) None whatever.

(4) I represent the free people of my district and of Texas.

(1) Fred H. Minor, Denton, Texas.

(2) Lawyer.

(3) None on basis indicated except firm of which I am a member has represented city of Dallas on regular retainer during construction of water reservoir in Denton county, having handled titles, litigation, etc., in connection therewith.

(4) We have regular clients, such as banks, mercantile establishments, etc., some of which are private corporations, but are not paid any regular retainer but only paid for services actually rendered. We were representing all of these concerns long before I became a member of Legislature.

(1) Mrs. Helen Moore, Texas City, Texas.

(2) Housewife.

(3) None.

(4) None.

(1) R. Emmett Morse, Houston, Texas.

(2) Realtor.

(3) None.

(4) I think the members of the

House who question us beyond our oath of office have an unlimited amount of GUTS.

(1) Edward A. Mullally, Laredo, Texas.

(2) Lawyer.

(3) None.

(4)

(1) E. T. Murphy, Livingston, Texas.

(2) Lawyer.

(3) My firm, Campbell & Murphy, represent regularly First National Bank, Livingston; W. B. T. & S. Ry.; Sunshine Oil Company; and at various times we have handled matters for other concerns.

(4) Our work is general practice, most of which we were doing on same basis as at present before I came to Legislature. We have not represented any concern in regard to any legislation for which we received a fee, nor have we rendered any assistance to any client in getting any legislation passed.

(1) Laura Burleson Negley, San Antonio, Texas.

(2) Housewife.

(3)

(4)

(1) C. E. Nicholson, Port Neches.

(2) Oil refining.

(3) The Texas Company.

(4)

(1) J. J. Olsen, Yoakum, Texas.

(2) Farmer; stockman.

(3) None.

(4) Have always without going bankruptcy route paid my honest debts.

(1) E. P. Palmer, Alto, Texas.

(2) Stockman and farmer.

(3) None.

(4)

(1) Frank Patterson, Jr., 417 First National Bank Building, Fort Worth, Texas.

(2) Attorney.

(3) None.

(4) None.

(1) James Pavlica, Flatonia, Texas.

(2) Farmer.

(3) I am not in employ of no one and don't expect to be.

(4) I till the soil, and struggle for living as hard as any other farmer.

(1) Alfred Petsch, Fredericksburg, Texas.

(2) Law.

(3) Central Power & Light Co.; United Telephone Co.; Fredericksburg & Northern Ry. Co.

(4) I represent these corporations in all legal matters arising in several counties.

- (1) Adrian Pool, El Paso, Texas.
- (2) Lawyer.
- (3) None.
- (4)

- (1) Bowen Pope, Hamlin, Texas.
- (2) Editor, publisher, general commercial printing.
- (3) None.
- (4)

(1) Walter Elmer Pope, Corpus Christi, Texas.

(2) Attorney at law.

(3) None.

(4) No corporation or association has indicated any desire to employ me or seemed to think I was worth hiring or paying.

(1) F. H. Prendergast, Marshall, Texas.

(2) Attorney at law.

(3) I was attorney for the Texas Pacific R. R. Co. for forty-five years; was retired four years ago on a pension payable monthly; the amount will be given if desired.

(4) My son, George Prendergast, is attorney for the Southwestern Gas & Electric Company in some ten or twelve counties in Northeast Texas, and I am his adviser, without compensation.

(1) George Clark Purl, Dallas, Texas.

(2) Attorney.

(3) Southern Travelers' Association; Dixie Motor Coach Corporation; Lone Star School Book Depository; Employers' Casualty Company.

(4) I became a member of this Honorable Body for the first time as a member of the Thirty-eighth Legislature, and have served throughout the Thirty-eighth, Thirty-ninth, Fortieth, and Forty-first Sessions. I secured my license to practice law in 1927. Prior to that time I was engaged and associated in advertising and publicity work.

- (1) George Clark Purl, Dallas, Texas.
- (2) Attorney.
- (3) Southern Travelers' Association; Dixie Motor Coach Corporation; Lone Star School Book Depository; Employers' Casualty Company.
- (4) I became a member of this Honorable Body for the first time as a member of the Thirty-eighth Legislature, and have served throughout the Thirty-eighth, Thirty-ninth, Fortieth, and Forty-first Sessions. I secured my license to practice law in 1927. Prior to that time I was engaged and associated in advertising and publicity work.

(1) B. E. Quinn, Beaumont, Texas.

(2) Real estate dealer and farmer.

(3) None.

(4) None.

(1) Homer H. Ray, Troy, Bell county, Texas.

(2) Farmer.

(3) None.

(4)

(1) R. L. Reader, 1107 Bailey avenue, San Antonio, Texas.

(2) Drug salesman.

(3) The Norwich Pharmacal Company, Norwich, N. Y.; Kansas City branch, Kansas City, Mo.

(4) I have represented this firm for the past twelve years and the only thing they are interested in is more orders from me. They have no interest in Texas politics.

- (1) John Faulkner Renfro, Huntington.
- (2) Farmer.
- (3) None.
- (4)

(1) Dan Richardson, Grand Saline, Texas.

(2) Farming.

(3) None.

(4)

(1) J. A. Riley, Marshall, Texas.

(2) Life insurance.

(3) American National Insurance Company, Galveston, Texas.

(4) I have received no salary while attending the Legislature, only back earned money, as have to get leave of absence while attending Legislature.

- (1) John C. Rogers, Center, Texas.
- (2) Retail druggist.
- (3) None.
- (4) None.

(1) Phil L. Sanders, Nacogdoches, Texas.

(2) Farmer (manager of my mother's properties).

(3) None.

(4)

(1) W. T. Savage, 709 Praetorian Building, Dallas.

(2) Lawyer.

(3) None.

(4)

(1) Charles N. Shaver, Huntsville, Texas.

(2) Teacher public schools.

(3)

(4)

- (1) E. P. Shelton, Dripping Springs.
- (2) Physician.
- (3)
- (4)

(1) W. J. Simmons, Texarkana, Texas.

(2) Minister of the gospel.

(3) No.

(4)

(1) Ed R. Sinks, Giddings, Texas.
 (2) Retired lawyer and president First National Bank of Giddings.

(3) I receive a small salary as president First National Bank of Giddings, which continues while the Legislature is in session.

(4) Congress alone passes laws to govern National banks, and not the Texas Legislature.

(1) J. B. Snelgrove, Henderson, Texas.

(2) Farmer and teacher.

(3) None.

(4) None.

(1) Carlos D. Speck, Abilene, Texas.

(2) Lawyer. Have about abandoned it since convening of Forty-first Legislature.

(3) Franklin Plumbing Supply Company, Mutual Motor Company, both of Abilene, Texas. May have had occasion to represent others, but if so, not regularly.

(4) No retainer fees. Just represent them in their ordinary business, in and out of court, and am paid for professional services as rendered. None have sponsored or protested any character of legislation except as an ordinary citizen.

(1) George C. Stephens, Sulphur Springs, Texas.

(2) Farmer.

(3) None.

(4)

(1) Coke R. Stevenson.

(2) Lawyer.

(3) None whatever.

(4)

(1) Cecil Storey, Vernon, Texas.

(2) Attorney at law (sometimes called barrister or solicitor in other countries).

(3) I am associated with a law firm that has represented the Fort Worth & Denver City Railway Company in my county on a small monthly salary for the past eighteen years. This has been received prior and since I took my oath of office. Our firm of Storey, Leak & Storey has also received some monthly fees for assisting in procuring a franchise from the city of Vernon from Community Natural Gas Company. This was about \$25 per month for some four or five months, but it is no longer received. These small retainers have been divided three ways with my partners. We represent some other corporations, but not on a salary, retainer or contingent basis.

(4) I have been offered retainers

from utility corporations, but have refused to accept same since I have been a member of the Legislature for eight years. Although entitled to railroad passes, I have never used one since I have been a member of the Legislature. I pay my fare. I endeavor to vote on no contested bill affecting railroad companies. I refused to serve on Common Carriers Committee on this House for Regular Session, Forty-first Legislature, for fear I might be criticised on account of being a local attorney in my county.

(1) Arthur B. Tarwater, Plainview, Olton Route, Texas.

(2) Farmer.

(3) None.

(4)

(1) J. T. Terrell, Del Rio, Texas.

(2) Real estate and fire insurance.

(3) None.

(4)

(1) Leonard Tillotson, Sealy, Texas.

(2) Farming, stock raising, banking.

(3) None.

(4)

(1) Henry A. Turner, Madisonville, Texas.

(2) President Herring-Turner Hardware Company; also Turner-Herring Company and First National Bank of Madisonville, Texas.

(3) \$4140 last year from Herring-Turner Hardware Company.

(4)

(1) Olan R. Van Zandt, Tioga, Texas.

(2) Lawyer.

(3) None.

(4) I am engaged in the general practice of law.

(1) John H. Veatch, Joshua, Texas.

(2) Farmer, retired.

(3) No.

(4)

(1) C. H. Waddell, Rosenberg, Texas.

(2) Owner of telephone business and cotton ginning business.

(3) Receive profits from Fort Bend Telephone Company and Farmers' Gin Company of Rosenberg, Texas, if there is any profit made.

(4) I am owner of the above corporations, but this fact does not influence my vote in the least on any matter that has or may come before this Legislature.

(1) John F. Wallace, Teague, Texas.

(2) Merchant and other personal business.

(3) None.

(4) I am very glad to give the House of Representatives and the public this information, and would be glad to give additional information if desired.

(1) J. T. Walters, Buna, Texas.

(2) Farmer.

(3)

(4)

(1) Clyde W. Warwick, Canyon.

(2) Newspaper publisher.

(3) None.

(4)

(1) Henry E. Webb, Odessa.

(2) Farmer and contractor.

(3) None.

(4)

(1) Frank T. West, Jonesboro, Texas.

(2) Farmer and retired lawyer.

(3) None.

(4)

(1) W. H. Wiggs, Paris, Texas.

(2) Minister of the gospel.

(3) None.

(4)

(1) S. R. Williams, Hemphill, Texas.

(2) Hotel.

(3) I have no interest in any corporation and do not work for or represent any of them.

(4)

(1) W. T. Williams, Austin, Texas.

(2) Lawyer.

(3) None.

(4)

(1) H. G. Woodruff, Decatur, Texas.

(2) Attorney.

(3) Manager Lillard Milling Co.; City National Bank, Decatur; Rhome Milling Co.; Decatur Ice Co.; city of Decatur North Texas Finance Co.; Bridgeport Brick Co.; B. N. P. Insurance Co. of Decatur; Reynolds Mortgage Co.; Los Moros Cattle Co.; Lillard & Lillard Cattle Co.; L. L. & L. Cattle Company; Tarrant County Water Control and Improvement District No. 1.

(4)

(1) Dewey Young, Wellington, Texas.

(2) Farmer-teacher.

(3) None.

(4)

3. The following members appear to have received a copy of said questionnaire but have made no reply:

Frank Baldwin, Ben F. Brooks,

Homer C. DeWolfe, Sam Hefley, J. W. Kinnear.

4. The questionnaire was mailed to the following members, from whom we have received no reply:

J. D. Avis, A. J. McKean, W. R. Montgomery, A. C. Mosely, M. E. O'Neill, W. E. Reid, Lewis J. Thompson, Lawrence Westbrook, W. O. Williams.

Respectfully submitted,

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.....

The following questionnaire was misplaced and was not located until the report was compiled:

(1) C. J. Sherrill, Bellevue, Texas.

(2) Dentist.

(3) None.

(4)

The following questionnaire was not filed until after the report was compiled:

(3) Sam Gates, Runge, Texas.

(2) Stockman, cattle buyer.

(3) None.

(4) None.

(1) Polk Hornaday, Harlingen, Texas.

(2) Law.

(3) Not hired on any monthly or yearly basis.

(4) None.

(1) Carl Rountree, Lamesa, Texas.

(2) Lawyer.

(3) I represent the local railroad; bus lines; several truck lines; light and power and ice company; ice cream company; several lumber yards; banks, and other corporations and associations locally; connection with practically all clients began prior to legislative career as have lost some clients since; have received fees from some of these since elected. Have not had any person or corporation to either directly or indirectly attempt to influence my vote or action as a member of the House, in any other than a perfectly legitimate and fair manner. Have not received any fees for any legislative work of any kind.

(4)

(1) Vernon Lemens, Rainbow, Texas.

(2) Law student.

(3) Austin News, Austin, Texas.

Carrying papers, \$40 per month.

(4)

There seems to be more or less opposition to the Harper resolution among the members of the House. They seem to think that their honesty, in a way, has been attacked. I am of this opinion, with regard to this questionnaire; if a man is honest and true to the trust reposed in him, he does not hesitate to declare it, and will not take offense at being questioned about the same. If a pig is caught under a fence he will squeal, and a hit pup will always howl. I do not believe that a man has to parade his honesty before the public, they will always find him out. It is impossible to fool all the people all the time. It always caused me to be more or less skeptical when a person cries his wares from the housetop, rather than let them stand on their own merit. I remember reading where two men went to the synagogue to pray. One stood erect and said: "I thank the Lord that I am not as other men," while the other bowed himself, buried his face in his hands, and said: "Lord, have mercy on me, a sinner." The Lord said the latter went down justified, rather than the other. Do your charity in secret and you will be rewarded publicly. When the Savior was accused by the multitude, Pilate asked Him if He was guilty as accused. His answer was: "What sayest thou?" In other words, what is your opinion. Pilate washed his hands in the presence of the multitude to signify that he accused him not.

I have been taught and do believe, that where there is so much smoke there is some fire. Now, fellow members, I believe that your conduct will speak for itself and if there is no cause there will be no accusation. If a man can build a better chicken coop or construct a better mouse trap than his neighbor, the world will beat a path to his door. It is the internal and not the external qualifications that recommend the person, and it is not necessary for him to prove to the world that he is honest. Your deeds reflect your true character and out of the abundance of the heart the mouth speaketh. It is impossible for you to serve two masters and be true to both. Fame is the appreciation by the multitude of the accomplishment of the individual. Have no fear, the public will find out and sooner or later you will find your level in life. Deep water runs silent, so beware of him that acclaims his honesty and ability too highly.

The heroics of human life do not consist in spectacular circumstances; in great deeds, or in the taking of cities,

but it is in the staying powers we have for the monotony of little things that make up the long hard siege of living and behaving creditably.

C. J. SHERRILL.

Brother James E. Harper, Chairman
Questionnaire Committee.

My Dear Committeemen: Being one of the original thirteen members that voted against this resolution, I have been somewhat hesitant in answering same but will now endeavor to give complete light on my affiliations. Not being a lawyer and having no connections in life or business that any corporation or association might have wanted to retain my services for any particular propaganda, and that being the only question asked in your questionnaire, I feel the uselessness of answering same. However, for the benefit of your committee, the Legislature, the citizenship of the State, or any person that might want to perpetuate my economic affiliations so that future generations may retain and ponder; I hereby and hereon sincerely and solemnly swear to my mind and conscience, remembering the oath of office, prescribed by the Constitution of Texas which I swore to keep and perform as a legislator of this State; that I have received no compensation in any form whatsoever, nor have I been complimented by any corporation as to my ability to perform any services by being tendered any salary or retainer whatsoever for any services rendered or to be rendered in the past, the present, or the future.

If this statement causes some person to more strongly believe in my honesty and integrity as a politician, a statesman or a man, because I, myself, have testified to same, I shall feel grateful and only wish for the sake of Christianity that JESUS when on this earth might have been presented a questionnaire by His Disciples and compelled to swear He was the Christ, that all the world of unbelievers might have paused in their unbelief and accepted Him.

Hoping that these several documents of the legislators may be sacredly preserved and guarded within the archives of this hall that future generations, who may pass this way, may easily read and revere the memory of the good men, noble and true, of the Forty-first Legislature of the State of Texas.

With all the humility my soul permits, to thee I bow,

Most humbly,

BEN F. BROOKS.

Signed in official capacity as a member of the Forty-first Legislature of Texas, in the year of our Lord, Nineteen Hundred and Thirty, the third month and the tenth day.

SO MOTÉ IT BE.

Questionnaire

Authorized and Directed by Resolution Adopted by the House February 25, 1930.

(1) Name, Lawrence Westbrook; postoffice, Waco, Texas.

(2) Trade, occupation or profession, farmer, manufacturer.

(3) Corporation or association, if any, from which you have accepted directly or indirectly any salary or retainer for your services on a monthly, yearly or contingent basis, any part of which has been received or accepted since you took the oath of office, Central Farm Products Co., Waco, Texas; Westbrook and Walker, Inc., Satin, Texas; Westbrook and Evans, Inc., Lorena, Texas.

(4) Explanatory remarks, if any, I am a stockholder, director and officer of each of the above corporations.

LAWRENCE WESTBROOK,
Representative, Ninety-first District.

Sworn to and subscribed before me on this, the 12th day of March, 1930.

LOUISE SNOW PHINNEY,
Notary Public, Travis County, Texas.
(Seal)

(Note).—Notary public available without cost in Chief Clerk's room.

The committee requests this to be returned within three days from February 26, 1930.

(Filed after the compiling of data furnished committee.)

In Re Harper Resolution.

I wish to reiterate statements made by me before the House of Representatives when this untimely resolution was being considered "that I represent no special interests and that I am under the influence of no one, nor do I owe any obligations that could any way affect or influence my vote upon any subject of legislation, other than what I believe in my heart to be for the best interests of the State at large and for the people of my district.

I do not believe that the passage of this resolution reflects the feeling and attitude of the members of the House of Representatives toward each other. It gives credence to hearsay and gossip

which, at its best, is a sort of smoke that comes from the dirty tobacco pipes of those who diffuse it; it proves nothing but the bad taste of the smoker. In my opinion, it goes a long way to break down the confidence of the people in this body and to ruin the reputation of its members, because its passage shows that its members do not have confidence in each other and fails to take into consideration the fact that the reputation of this body is always at the mercy of the envious and the ignorant.

"The flying rumours gather'd as they roll'd;
Scarce any tale was sooner heard than told;
And all who told it added something new,
And all who heard it made enlargements, too."

Fellow members, allow me to say that one who would stoop so low and be so corrupt as to come within the insinuations set forth in this resolution would not hesitate to lie, commit perjury or anything necessary to cover up his tracks and thus escape detection. If the authors of this had in mind any individual member whom they sought to reach by this resolution it was their duty to present the facts to the members of this House in order that they might take action and expel such member if such facts justified it. If not, then certainly this resolution was out of place and ill advised:

"But man, proud man,
Drest in a little brief authority,
Most ignorant of what he's most assur'd,
His glassy essence, like an angry ape,
Plays such fantastic tricks before high heaven,
As makes the angels weep."

I wish to express my confidence in the honesty and integrity of my fellow members of the House of Representatives and to say that I resent the views of those whose minds harbor general and unfounded suspicion as to the motives of the members of this body. I believe that the members of this body deserve the confidence and esteem of the people of Texas, and that nothing could be so detrimental to break down that confidence which exists in the people of Texas in its lawmakers as the effect of the Harper resolution.

To my mind, whether I may be right or wrong, there is a principle involved in this matter when one is required in effect to file a statement under oath that he is honest when no accusation or sus-

picion has been attached to him. It is out of respect to the House of Representatives that I file this statement in lieu of the formal questionnaire, which statement is made upon my honor as a member of this body, and which I deem as sacred as my oath of office, and which I feel more nearly expresses my confidence and respect of the members of this body and my constituents.

Respectfully submitted,

HOMER C. DeWOLFE.

Reason for Vote.

This House, by an overwhelming vote, has seen fit to cause to be printed a questionnaire showing what firms and corporations members of this body are representing, either on a monthly, yearly or contingent basis. In my opinion, the mere publication of this questionnaire, if permitted to stand alone, might cause some future readers of this document, who not being acquainted with the purpose of printing the same, to form erroneous conclusions that the lawyers of the State of Texas generally, as well as the members of the legal profession now holding seats in this honorable body, have not played an important part in the affairs of our State.

The unselfish service rendered by my brother lawyers of the present generation, including my own efforts, in the affairs of state, I am perfectly willing to let the future generations decide; however, I do sincerely feel that the unselfish and patriotic services rendered by lawyers of this State from the days before it was a republic up to and including the late World War, should briefly be catalogued here in order to do justice both to the men and to the profession held so dear to their hearts. For that reason, I am exercising my privilege as a member of this body in recording under the title of "Reason for Vote" the copy of an address delivered by the Hon. Frank Andrews of Houston, Texas, whose subject was "The Bar of Texas," said speech being delivered February 7, 1930, at Galveston, Texas, at the annual banquet of the Galveston Bar Association.

PURL.

Mr. Toastmaster, Guests of Honor, Members of the Galveston Bar, Ladies and Gentlemen:

I am grateful for the privilege of addressing this splendid audience on the subject of the Texas Bar. It is especially appropriate that this subject should be discussed in this presence and in this city, where the Texas Bar Association had its birth forty-eight

years ago, and which will soon complete its first half century of work, and which Texas lawyers may say with pardonable pride, both in point of service and intellectual attainments, ranks equal to any similar organization in the world.

In the brief time allotted to me, I could not give any comprehensive history of the Texas Bar, nor of any single group of its membership, and necessarily only a few of its outstanding accomplishments may be adverted to. Time and the occasion forbid that I should speak of individual accomplishments of even its most illustrious members.

The early Texas lawyer was a crusader and a pioneer. He came to Texas primarily as a crusader. In the true spirit of his professional education and ideals he buckled on his armor, girded himself for a war for righteousness, and marched without the blare of trumpets, unattended, and generally alone, into the land of oppression, for the purpose of righting the wrongs that were being inflicted upon his race, and, in the true spirit of his professional traditions, he undertook to support the weak against the strong, and joined forces with the oppressed for the purpose of overthrowing the oppressor. The spirit of adventure was perhaps a second cause of his coming, but the spirit of justice was the dominant spirit impelling the early Texas lawyer's movement into this territory, and he entered the unequal contest with all the enthusiasm of the crusaders and the Knights of the Temple. He could not have been actuated by avarice, because not one of them but died poor, and not one of them but had too much ability and too great a judgment not to foresee that the span of life was too short for one man coming into a wilderness, before the days of the Republic, to extend into a period when he might acquire wealth and financial independence in the practice of law. All of us know, as they then knew, that few lawyers ever get rich, and those who do, do not make the fortune in the practice of law, but through some fortuitous circumstance or investment such as comes to but few people in a generation.

It was this spirit of crusading for justice to the oppressed that led our predecessors of the Texas Bar into this country to relieve the oppressed, to establish justice, to create a republic, to erect their homes, to protect their firesides, to rear their families, and to give to humanity the benefit of a sys-

tem of laws and procedure that would come as near attaining the ends of justice as such accomplishment is possible.

If I should call the roll of the lawyers that were here in those days, prior to or during the Republic of Texas, I would call the names of the most illustrious patriots and citizens of the young Republic. The lawyers were in every convention and conference for safety; they were in every battle; they were in every massacre; they led every assault, and were the last to retire from the engagement when overcome by the overwhelming forces of the enemy.

The Texas Bar wrote our Declaration of Independence, they signed it with their names, and some of them sealed it with their life-blood.

The Provisional President of the Republic succeeding the declaration of Texas' independence was a lawyer; the majority of his cabinet were lawyers, and those upon whom he relied for advice were largely the lawyers of the young Republic.

When the overpowering numbers of Santa Anna's invading army surrounded San Antonio and summoned the Alamo to surrender, it was William B. Travis, a brilliant, fearless young lawyer, leading that heroic band of defenders, who answered the summons with a cannon shot, and sent forth to the world that deathless message, "I shall never surrender nor retreat," and it was he who fought to the last man and left to the world an example of heroism and patriotic sacrifice that should be an inspiration to every member of the Texas Bar. He gave his life to make this day possible.

When the Battle of San Jacinto was fought, the Texas Bar was there in full force, active, aggressive, intelligent, and irresistible. The commanding general was a lawyer; the commander of cavalry was a lawyer; the division commander was a lawyer—a lawyer led the last charge and a lawyer wrote the report of the battle and that splendid obituary of Mexican oppression which was sent forth from that battlefield to the balance of the world by Thomas J. Rusk, announcing the glory of our triumph and the birth of a republic, is a classic that will pass down through all the ages and strengthen and hearten the oppressed people of every land.

When peace was declared, the lawyers wrote the Constitution of the Republic, they advocated its adoption; and when the Constitution was adopted, a lawyer was elected the first President of the

Republic, and the majority of his cabinet and the majority of the First Congress were members of the legal profession.

So that, for this period, from the earliest white settlement in Texas to the creation of the Texas Republic, the dominant spirits were the immigrant lawyers, who came into this State as crusaders for justice and right and for the development and building of an Empire.

During the ten years of the Republic its most powerful and influential figures were lawyers. The most absorbing question before the Republic was the annexation of Texas to the United States. The desire was overwhelming; the vital question was how to attain the desire.

The history has been written of many great law suits attempting to portray the tact and skill of some great lawyer who tried some great case, and thereby made a name in history that time cannot efface. In his day, in private practice and as a public prosecutor, Sam Houston tactfully and skillfully handled many law suits. A painstaking examination of the history of Texas, however, from the day that Sam Houston crossed the Sabine river, moving westward, until the admission of Texas to be one of the United States was authorized by Congress and approved by the President, will show that he was diligently and exclusively engaged in the preparation, presentation, final trial, and adjudication of a great case, before the great tribunal of the American people and the Congress of the United States, and that he handled it with all the tact and skill and diplomacy of a great lawyer and a master mind. I have often thought that the trial of a great law suit afforded an incomparable field for the tactics and diplomacy of a great mind; and, in contests in which the sides are fairly balanced, there is no other factor of greater value than the tactful handling of the problems that arise in the progress and development of your trial. No lawyer ever prepared his case better, more completely mastered it, more tactfully handled it, more diplomatically and forcefully presented it, nor pressed it with more consummate skill to the final judgment, than Houston did the application of Texas to become one of the United States. His master mind grasped every possible advantage in favor of his single purpose, and he followed that purpose along lines so tactful, yet so profound, that at times the public thought he was strongly opposed to annexation. But in the end the legal training of the great law-

yer reached the conclusion of the trial as planned out by the master mind, and the great ability of the lawyer triumphed in the patriotically desired result.

During this period of the Republic Houston was not alone, for there were other great lawyers, and, while himself not actively engaged in the practice of law, his legal training and knowledge were of infinite value to the young Republic. In that day the names of Rusk, Wharton, Burnett, Henderson, Jack, Baylor, and a host of others, were equal to those in any period, in any country. The bar of Texas, that is, the lawyers of the Republic, were the most potential factors in the growth and development of the Republic, in the construction and operation of its judicial machinery, in its political policies and accomplishments, and in the result of annexation. In this period the bar of Texas possessed many men, each of whom would have been a credit to the bar of any State or any country.

The period from annexation to the Civil War brought into this State a steady flow of immigration. A very large proportion of the State was sparsely inhabited, if inhabited at all. The Texas Bar continued to pioneer and to crusade. They were not only pioneers in the practice of law, but pioneers in every other human endeavor. Judge R. E. B. Baylor was largely, if not solely, responsible for the organization and charter of the first institution in this State devoted to higher education, and today the oldest existing college in the State of Texas proudly bears his name. In the familiar language of the old frontiersman: "Baylor practised a little law, taught a little school, preached a little gospel," and looked after the general welfare of the community in which his nearest neighbor was a long day's ride on horseback.

Every Governor from annexation to the Civil War was a lawyer. The bar of that period was patriotically devoted to the country. All members were true patriots. The lawyers were the advocates and the opposers of secession. They debated it from every stump in the State. But when the people spoke and secession became a fact, the lawyers who had opposed it and the lawyers who advocated it stood shoulder to shoulder in the defense of the rights of our State. They were the first to enlist, and many never returned, and left upon the battlefields of their country the proud heritage of an honored name as the only legacy to their children. From general to private, the bar of Texas stood upon

battlefields of our country, face to face with the enemy, each bearing, as always, his share in patriotic endeavor, wherever and however his lot may have been cast. To these lawyers of this period, who quit the courts for the battlefield, spent their substances, and spilled their blood, and many of whom gave their lives, this State and the present generation of this bar owe more than they can ever pay.

After peace was declared, came the period of reconstruction, and in no period of the history of the Texas bar did the Texas lawyer ever give more generously of his time and service to the good of his State than during this turbulent time. It was largely the patience, the keen foresight, the analytical minds and conservative judgment of the lawyers of Texas that enabled our people to so handle the situation as to prevent wholesale slaughter, and to make life endurable during that "Tragic Era." And when the people, finally re-enfranchised, rose in their might to drive the carpet-baggers from the State and make the Freedman's Bureau a sad and lamentable part of our State's history, it was a lawyer who led them, who directed the fight, and who was elected to clean out the Augean stables. And when the troops of the Freedman's Bureau and the carpet-baggers had been concentrated in the capital and the word had gone forth that the office of Governor would not be surrendered to the man elected by the people, and the challenge was sent to Richard Coke, the Governor-elect, to know what he would do, that great lawyer, that great judge, with calmness and dignity and the full force of a great purpose, replied:

"The people of Texas have elected me Governor, and by the eternal gods I am going to be Governor."

Heartened by this leadership, strengthened by this steadfast purpose of a great lawyer and a great patriot, the citizens of Texas organized to force the capital, if necessary; but by diplomatic and tactful handling the conflict was avoided and a catastrophe was averted.

With the return of the government of the State to the people, it became necessary to adopt a new Constitution. A constitutional convention was held in 1875, and a large majority of the membership elected to that convention were members of the Texas bar, engaged in the active practice of law in this State. The lawyers in that convention set aside one-half of the unappropriated public domain for the benefit of the public free schools of Texas, a heritage to the children of untold generations to come, the

value of which can not be estimated. The lawyers in that convention provided for the establishment of a University of the first class and for the Agricultural and Mechanical College. The lawyers in that convention wrote a Bill of Rights equalled only by the Declaration of Independence of the United States, in the preservation of personal liberty. The lawyers have been the State builders. They have had more influence and exercised more power in shaping the destiny of Texas than any other class or profession.

Since the Constitution of 1876 was adopted, Texas has had sixteen Governors, thirteen of whom have been lawyers. All United States Senators elected from Texas for the same period have been members of the Texas bar, and only a few, in fact very few, of Texas Congressmen of the same period have not also been members of the Texas bar. During the Civil War a member of the Texas bar was a member of the Davis cabinet; and during the World War two members of the Texas bar were for this full time members of the Wilson cabinet. Texas lawyers have been foreign ministers and diplomats, and at least one member of the Texas bar declined an appointment on the bench of the Supreme Court of the United States.

The influence of lawyers in politics has been severely curtailed in the last few years by the universal primary system and by the fact that the people no longer have a right, under the law, to nominate or elect a candidate of their own choosing for public office, but that they are obliged to choose only among the men who offer themselves as candidates. In the old convention days, when a man's character was subjected to the fierce analysis of public light and mature judgment and under such scrutiny failed to meet the standard of fitness, he might be turned down and some acceptable man, some able and capable man, some honest man, might be asked by a convention to step in and take the office.

That condition has passed away, and the element of personal acquaintance and, incidentally, the known personal fitness of persons for office, outside of local communities where they live, has ceased to be a controlling factor, and often the electorate is obliged to determine which is the least objectionable candidate, which is the least of the evils about to be inflicted upon the public, and vote accordingly, for the lesser of evils, one of which must be imposed upon a long suffering and helpless public, instead of being accorded the privi-

lege of voting for some person known to be fit for the office.

I digress to say that the present system of lavish expenditure in the interest of candidates for public office, if continued or enlarged, must inevitably lead to increased corruption and the usual attendant and resultant evils.

Passing the periods of the creation and administration of the republic, the creation and administration of the State, the period of the Civil War, and the period of reconstruction, we have the period of peace and prosperity in the administration of public affairs of this State and in its material and temporal interests, the end of which we fondly hope is not near.

A roster of the great lawyers of Texas would be too long. Many of them in their lives and work have been citizens of this historic city; and some, as able, efficient, high-minded, patriotic and lovable as any ever lived, still live and labor and work in this beloved city of romantic traditions to maintain the high level established by their predecessors.

Throughout the State, the bar is composed of the best citizenship, in the best of everything. They stand at the forefront of State affairs, of county affairs, of city affairs, of community affairs, in patriotism, in integrity, in self-sacrifice, in the love and administration of justice and in the ennobling traits of humanity. To our sorrow, human wolves sometimes break into the profession and are guilty of such reprehensible conduct that they become a disgrace to the profession and a blot upon its fair name, and, to our own censure, and to our sorrow, we have never yet been able to devise means and laws and plans whereby such things can be prevented or properly punished when they occur. But such conduct does not change the character of the real lawyers, nor the ideals for which they work. The truly great lawyer is always not only great in mind, but he is always great in patriotism, great in sympathy, great in altruism, great in morals, great in devotion to his country, his State, his family, and the high ethical principles of his profession. He may be trusted to the uttermost limits, and the trust will never be betrayed. I am proud and happy to say that in the State of Texas we have almost limitless numbers of lawyers who meet this definition, for we must bear in mind that a great lawyer is not necessarily great in accomplishment, or great in the public mind, for he may be comparatively unknown and still be a just exponent of the great ideals of his profession.

To the bar of Texas of today I say

that in the light of the wonderful history of accomplishment of the bar of Texas that has gone on before, we should redouble our efforts to meet the illustrious examples of our predecessors, and to teach the people what a real lawyer is, and to teach our professional brethren that the office of a lawyer is the most sacred office of trust and confidence, and should never be neglected nor betrayed. We should impress upon our professional brethren and the public the fact that the office of a lawyer is not to be used as a stepping stone to some other place, because there is nothing higher or nobler. Duty may call the lawyer to the Senate or Congress, to the Governorship, to many places of honor and emolument, but the plain, old-fashioned lawyer, who practices law for the love of the law, himself holds an office of the greatest honor. We can not all be Senators, ambassadors, Governors, cabinet members or holders of other offices. But all of us can be true to the ideals of our profession and an honor and a help to our country and a real benefit to humanity.

Speaking for myself, if I could so live and act and work that it should be said of me, among good lawyers, that I am a good lawyer, that I have, to the best of my ability and conscience, performed every duty imposed upon or assumed by me, I would feel that I had accomplished the greatest ambition of my life, and the accomplishment of such an ambition is one with which any disciple of Blackstone ought to be satisfied. If I could give a message of inspiration to the bar of Texas, it would be to make the practice of law, its ideals, its service, its attainments and its honors, your single purpose; then, if the people call you elsewhere—to the bench, the greatest of all honors to a lawyer, or to any other place of honor or service, your response should always be in the line of duty.

Before concluding I wish to commend to you gentlemen of our courts of last resort, sitting here this evening as the honored guests of the Galveston Bar Association, the example of your predecessors. The Supreme Court of Texas has always been an honor to the State, to its citizenship, and to its jurisprudence. The Court of Criminal Appeals, organized under the Constitution of 1876, has been an equal honor since its organization. Men have sat upon these courts that would have ornamented and honored the Supreme Court of the United States, which is the most august tribunal in the world. These men have written the judicial history of this State, which will stand favorable com-

parison with that of any other State or of any other country or of any other court upon the face of the earth. Those men have made a record and have left us a heritage of which the Bar of this State is proud, and which it hopes, through coming generations of judges, to glorify and exalt—not that we hope ever to have greater judges than some of those who have gone before, but that we hope forever to have those of you who sit upon the bench of our courts of last resort to follow and exemplify the practices and principles adopted and written into the jurisprudence of this State by those great judges. The Bar delights to honor the Bench. It delights to tell the coming generations of the virtues of those great judges in the past, and it delights to feel the assurance that in the years to come all succeeding generations of the Texas Bar will be able to point with the same pride and confidence and assurance to the unsullied record that the judges now in office and those to come after you, shall have made, in the future generations of this Empire State.

The Bar of Texas has no misgivings about its honor guests. In the fierce light of intellectual conflict we fight our battles before you, and when your decisions are rendered we are often disappointed, and sometimes think you are wrong, but we know that honor, integrity, unselfish devotion to duty, patriotic endeavor, and the love of justice dominate and control. We bow our heads before our disappointments. We know that this must be a country of law, ruled by law, which must be administered by the courts, controlled by legal principles, by unselfish and patriotic motives, without corruption and without the fear of consequences; that its foundation must be justice, its bulwarks must be the Constitution, and its guiding star must be a strict adherence to established judicial principles. We know that when the force of the judiciary is curtailed, the hand of anarchy is strengthened, and we know that as citizens it is our duty to uphold the court in the administration of justice, that our personal disappointments do not change, nor diminish, this duty, and we have no apprehensions as to the absolute rectitude of purpose of our courts as at present established. We ought to teach the people to know these facts as we know them; to know their duty as we know ours, and as members of the Bar of Texas we should upon every proper occasion point out to our clients and to the public the glorious history

and traditions of our courts which have always stood against oppression and against anarchy and for right and justice in all the ages of our judicial history.

Let us forever remember the glorious history of our courts, our judges, our great lawyers, as they have passed on. Let us cherish their great ideals and emulate their examples, so that the unsullied traditions of the Bench and Bar of Texas may afford us constant inspiration to greater and better deeds.

"The tumult and the shouting dies—
The Captains and the Kings depart,
Still stands Thine ancient sacrifice,
An humble and a contrite heart.
Lord God of Hosts, be with us yet,
Lest we forget—lest we forget!!"

STANDING COMMITTEE REPORTS.

The following committees have today filed favorable reports on bills as follows:

Agriculture: House bill No. 132.
Education: Senate bills Nos. 61, 31, 67, 58.
State Affairs: Senate bill No. 54 and House bill No. 126.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS.

Committee Room,
Austin, Texas, March 13, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 109, A bill to be entitled "An Act to provide a special county road law for Austin county, Texas; declaring county commissioners shall be ex-officio road supervisors of their respective precincts and, subject to the direction of the commissioners court, have charge of all road equipment for the building and maintenance of roads in their respective precincts; and defining the authority and duties of said commissioners as road supervisors; requiring bond of such commissioners as road supervisors; and requiring the keeping of certain accounts; providing for the purchase of material and supplies necessary in the discharge of the duties imposed and for the employment of necessary labor, and providing that this act, etc., and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,
Austin, Texas, March 13, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 94, A bill to be entitled "An Act amending General and Special Laws of the Forty-first Legislature, Chapter 141, making it lawful to kill squirrels at any time in the counties of Travis, Williamson, San Saba, Llano, Lampasas, Burnet, Goliad, Blanco, Hays, Tom Green, Irion, Sterling, Concho, Bell and Hood, and Erath, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,
Austin, Texas, March 13, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 126, A bill to be entitled "An Act to levy and collect annually a \$3.00 road tax against all able-bodied male citizens of Upshur county, Texas, who are between the ages of twenty-one and forty-five years; providing the manner of assessment and collection of said tax, and repealing all laws in conflict therewith, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,
Austin, Texas, March 13, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 53, A bill to be entitled "An Act to amend Section 1, Chapter 147, Acts Thirty-ninth Legislature, First Called Session, creating and defining by metes and bounds Road District No. 2 of Cherokee county, Texas, under authority of Section 52 of Article 3 of the Constitution of the State of Texas for the purpose of constructing, maintaining and operating macadamized, graveled or paved roads and turnpikes, or in aid thereof; providing that such district shall be made a body corporate and taxing district under the Constitution and laws of the State of Texas; excluding certain territory heretofore embraced and contained

within said district, etc., and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room.

Austin, Texas, March 13, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 15, A bill to be entitled "An Act to amend Article 7047, Revised Civil Statutes of the State of Texas, 1925, providing for the levy of occupation taxes on and collection from persons, firms, associations and companies pursuing the several occupations enumerated herein; repealing all laws and parts of laws in conflict herewith; providing that if any subdivision or part of this act may be declared invalid for any reason it shall not affect any other section, subdivision or part of this act, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room.

Austin, Texas, March 13, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 67, A bill to be entitled "An Act authorizing the commissioners court of Shackelford county to pay bounties on wolf scalps in Shackelford county to preserve game in said county; enacting the necessary regulations in reference thereto, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room.

Austin, Texas, March 13, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 117, A bill to be entitled "An Act providing for a rural school supervisor in certain counties in lieu of teachers' institutes; prescribing the duties of said supervisor; providing for visits to schools of the county and work in co-operation with teachers; prescribing the salary of said supervisor, and how it shall be paid; providing other

things incidental to said purpose, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room.

Austin, Texas, March 13, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 134, A bill to be entitled "An Act amending Chapter 22 of House bill No. 164, passed by the Second Called Session of the Forty-first Legislature, the same being an act regulating the taking of fur-bearing animals in certain counties; declaring the wild beaver, wild otter, wild mink, wild ring-tail cat, wild badger, wild polecat or skunk, wild opossum, wild raccoon, wild fox and wild civet cat to be fur-bearing animals and making it unlawful to take any of the fur-bearing animals of this State by means of a steel trap, dead-fall or snare, in the counties of Panola, Shelby, Nacogdoches, Rusk, Cherokee, Angelina, San Augustine, Hardin, Harris, Harrison, Polk, San Jacinto, Brazos, Madison, Trinity, Tyler, Liberty, Anderson, Sabine, Grimes and Montgomery; providing a penalty, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room.

Austin, Texas, March 13, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 69, A bill to be entitled "An Act amending Section 1 of Chapter 27, Acts Forty-first Legislature, Second Called Session, as amended by House bill No. 89 of the Fourth Called Session, Acts Forty-first Legislature, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room.

Austin, Texas, March 13, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 108, A bill to be entitled "An Act to authorize the commissioners

court of Wilbarger county, Texas, to contract and agree with the proper authorities of the State of Oklahoma for the construction of a public bridge across Red River at some point on the north line of Wilbarger county, Texas, and to authorize said commissioners court of Wilbarger county, Texas, out of the road and bridge funds of said county, to pay not more than 25 per cent of the cost of construction and maintenance, and to authorize the issuance of bonds or warrants for said purpose; and to provide that the said bridge, when constructed, shall be a part of the public highways of the State of Texas; and to authorize the appropriation of funds by the said Highway Commissioner to aid in the construction and maintenance thereof, on authority herein granted by authority of the Governor of Texas, and declaring an emergency."

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,
Austin, Texas, March 13, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 87, A bill to be entitled "An Act to authorize the selection of school depositories for independent districts in certain counties, regardless of the population of said districts, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed

McCOMBS, Chairman.

Committee Room,
Austin, Texas, March 13, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 124, A bill to be entitled "An Act to amend Section 1 of House bill No. 91, passed by the Forty-first Legislature of the State of Texas, relating to the manner of holding elections for the issuing of seawall bonds under Article 6834, Title 118, of said Revised Civil Statutes of 1925, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,
Austin, Texas, March 13, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 99, A bill to be entitled "An Act to regulate the method of taking or catching fish in the public fresh waters in Cass, Bowie, Morris and Titus counties, State of Texas; providing penalties for violation; repealing all laws in conflict herewith, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

REPORT OF THE COMMITTEE ON ENROLLED BILLS.

Committee Room,
Austin, Texas, March 13, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 10, Thanking authors of State song,

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

In Memory
of
Hon. Rockwell Hoskins

Mr. Bradley offered the following resolution:

Whereas, Honorable Rockwell Hoskins of Houston, Harris county, Texas, was called to his eternal reward last Tuesday, March 11, A. D. 1930; and

Whereas, Mr. Hoskins was during his lifetime one of the outstanding citizens of Harris county, having been a pioneer citizen of this State and being known as the Father of the Goose Creek Oil Field; and

Whereas, Mr. Hoskins was a former member of the House of Representatives, having served with distinction during the Twenty-eighth and Twenty-ninth Sessions of the Legislature; and

Whereas, Texas has lost an able and faithful worker for the best interests of all the people, and Mr. Hoskins' community has lost an honored citizen, having served for several years as Master of the Cedar Bayou Lodge, A. F. and A. M., and having been a faithful member of Trinity Episcopal Church; now, therefore, be it

Resolved, That a page of the House Journal be set aside to the memory of the deceased and that when the House of Representatives adjourns at the close of its labors on this day that it do so in memory of and in respect for him; and be it further

Resolved, That an enrolled copy of this resolution, signed by the Speaker and Chief Clerk, be mailed to his bereaved family.

BRADLEY,
ACKER,
MORSE,
HOGG,
THOMPSON.

The resolution was read second time and was adopted by a rising vote.